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11 KODIAK/ALEUTIAN ISLANDS FEDERAL SUBSISTENCE REGIONAL  
12 ADVISORY COUNCIL MEETING

13

14 Kodiak Inn, Kodiak

15

16 Kodiak, Alaska

17

18 March 5, 1998, 9:00 o'clock a.m.

19

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21 VOLUME I

22

23 Members Present:

24

25 Mark E. Olsen, Chairman

26 Alfred B. Cratty, Jr., Vice Chairman

27 Ivan D. Lukin

28 Della Trumble

29 Melvin Smith

30

31 Cliff Edenshaw, Coordinator

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P R O C E E D I N G S

(On record)

CHAIRMAN OLSEN: At this time I guess I'd like to call on Cliff Edenshaw to do a roll call.

MR. EDENSHAW: Thank you, Mr. Chair. Mark E. Olsen?

CHAIRMAN OLSEN: Yes.

MR. EDENSHAW: Vincent M. Tutiakoff? Absent. Alfred B. Cratty, Jr.?

MR. CRATTY: Here.

MR. EDENSHAW: Ivan D. Lukin?

MR. LUKIN: Here.

MR. EDENSHAW: Gilda M. Shellikoff? Absent. Paul Gunderson? Absent. Della Trumble?

MS. TRUMBLE: Here.

MR. EDENSHAW: Melvin Smith?

MR. SMITH: Here.

MR. EDENSHAW: And Dale Reft? Absent. Mr. Chair, there are four absent and five present. There is a quorum.

CHAIRMAN OLSEN: Yes. And what kind of effort did they make to call in?

MR. EDENSHAW: Vincent Tutiakoff, he didn't call. Initially, I think two or three weeks before he called and stated that he would attend the meeting and I never heard word from him. Gilda Shellikoff weathered in at False Pass. Paul Gunderson called me two days before and he'd come down with a virus and said that he would be unable to attend and if he did, it would be this morning. And Dale Reft called me two days before the meeting and he hurt his back, so he was unable to fly.

CHAIRMAN OLSEN: Thank you, Cliff. I see we do have a quorum present here this morning. So we can move on as one big happy family here, that many of us have worked together over the years on this issue. At this time if I could get the Deputy Regional Direction, Tom Boyd, to make some introductions here. Could you do that for us, Tom?

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1 (Introduction of Staff and audience - away from  
2 microphone).

3  
4 CHAIRMAN OLSEN: I think that's covered everybody that's  
5 here. Welcome. Before us we have the agenda. We'd like to  
6 review the agenda. Is there any changes, additions or deletions  
7 to our agenda?

8  
9 MR. EDENSHAW: Mr. Chair, on the second page under New  
10 Business, number 12, that's Tab W, it states, Any input, comments  
11 or suggestions to the Regional Council may have regarding a  
12 revised Southern Alaska Peninsula Caribou Management Plan. I  
13 recommend that we go ahead and scratch that. And Greg Siekaniec,  
14 the Refuge Manager from Izembek, said that he would cover that  
15 under old business under agency reports. So go ahead and just  
16 scratch that and then go ahead and Greg stated that he'd cover  
17 that under Refuge business.

18  
19 CHAIRMAN OLSEN: Any other changes, additions or  
20 deletions?

21  
22 MR. EDENSHAW: And then, Mr. Chair, also on the Izembek  
23 National Wildlife Refuge, just prior to that Tom Eley, Staff  
24 Committee Member from U.S. Fish and Wildlife Service will give a  
25 presentation regarding amendments to the Migratory Bird Treaty.

26  
27 CHAIRMAN OLSEN: You say that's?

28  
29 MR. EDENSHAW: Tom Eley.

30  
31 CHAIRMAN OLSEN: Right. Prior to the Izembek?

32  
33 MR. EDENSHAW: Yes.

34  
35 CHAIRMAN OLSEN: Any other changes, additions or  
36 corrections?

37  
38 MR. EDENSHAW: Also, Mr. Chair, the second page under New  
39 Business, Rod King, he works with migratory birds with the U.S.  
40 Fish and Wildlife Service in that regional office, he called me  
41 yesterday and was unable to travel because of family matters. So  
42 we'll go ahead and cross that off of the agenda. And at last  
43 year's meeting in Cold Bay the Council requested an individual  
44 from migratory birds to give a report on survey of emperor geese  
45 and other birds in the region. So Rod was to have done that but  
46 he called and was unable to make it here to Kodiak because of  
47 illness.

48  
49 CHAIRMAN OLSEN: We have nobody else present that can  
50 give us any information on that?

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1 MR. EDENSHAW: What I do have is some information that  
2 Rod faxed to me yesterday, and I'll go ahead and touch upon some  
3 of the questions that the Council had asked. And maybe Tom Eley  
4 could help assist with any questions that the Council may have.

5  
6 CHAIRMAN OLSEN: Certainly. I know there's quite a  
7 concern along the coastal communities that have been brought up  
8 most every meeting. So I'd like some kind of update on that.  
9 Anything else before the agenda this morning? Hearing none, I'd  
10 entertain a motion to adopt the agenda.

11  
12 MR. SMITH: I move to adopt the agenda.

13  
14 CHAIRMAN OLSEN: Moved. Do I hear a second?

15  
16 (No audible response)

17  
18 CHAIRMAN OLSEN: Moved and seconded. Call for the  
19 question? All of those in favor signify by saying aye.

20  
21 IN UNISON: Aye.

22  
23 CHAIRMAN OLSEN: Review and adoption of the minutes of  
24 the September 25-26 meeting at Cold Bay. You'll find it under  
25 Tab S. Is there any changes or any significant difference that  
26 we should note? The adoption of the minutes of the September 25-  
27 16, 1997 meeting in Cold Bay. I'll entertain a motion for  
28 acceptance.

29  
30 MS. TRUMBLE: I move we accept the minutes.

31  
32 MR. SMITH: Second.

33  
34 CHAIRMAN OLSEN: Moved and seconded.

35  
36 MR. SMITH: Question.

37  
38 CHAIRMAN OLSEN: Call for the question. Those in favor  
39 of accepting the minutes of the September Cold Bay meeting  
40 signify by aye.

41  
42 IN UNISON: Aye.

43  
44 CHAIRMAN OLSEN: Those opposed same sign.

45  
46 (No opposing responses)

47  
48 CHAIRMAN OLSEN: Oh, that takes us to break. I like  
49 that. At this time we have time set aside for any public  
50 comments on the Federal Subsistence Program. I guess everything

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1 is going well and we seem to have a fix on things. I guess then  
2 I would like to just kind of keep the floor open as we move  
3 through for any comments. We'll go on then to Proposal Review  
4 and Regional Council, under Tab T.

5  
6 I believe the proposals we have here before us today,  
7 Proposal 41 on Unit 8 on the deer, extended season. 97-05, elk,  
8 reconsideration customary and traditional use determinations.  
9 Proposal 42, elk, establish a season. Proposal 44, Unimak Island  
10 caribou, revise a c&t determination. And then we also in  
11 conjunction have the brown bear under Proposals 43, 45 and 46,  
12 combined for analyst establish a c&t determination.

13  
14 I believe then the first thing we should tackle is  
15 Proposal number 41. How should we handle that? Does everybody  
16 have a copy of this? Do we need to read it aloud? What's the  
17 wish?

18  
19 MR. EDENSHAW: Mr. Chair?

20  
21 CHAIRMAN OLSEN: Yes, Cliff.

22  
23 MR. EDENSHAW: Robert Stovall is on grand jury duty.  
24 Prior to that I have comments regarding the elk proposal,  
25 Proposal number 42. The Refuge prepared comments regarding that  
26 proposal. So I have those in hand, if Robert is unable to show  
27 up this morning. But he said that in the past few days he's been  
28 getting out at 10:30, so if he's able to he'll be here and give  
29 any comments besides number 42 regarding other proposals from the  
30 Refuge.

31  
32 CHAIRMAN OLSEN: Okay. Should we then go on to 42 and  
33 see if Mr. Stovall is able to participate? How would you like to  
34 handle that?

35  
36 MR. EDENSHAW: I think we can go ahead. The comments  
37 that Robert has for the Refuge, they are already written out on  
38 number 42 for the elk.

39  
40 CHAIRMAN OLSEN: Then we can go ahead and go on down the  
41 list I believe then.

42  
43 MR. EDENSHAW: Yes.

44  
45 CHAIRMAN OLSEN: Thank you.

46  
47 MR. EDENSHAW: And, Mr. Chair, the first proposal is  
48 Proposal 41. And that is Unit 8 for Sitka white-tailed deer, and  
49 that's to modify the season. Last year in Cold Bay there was a  
50 request for a special action, as well as a change in the

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1 regulatory cycle regarding the deer here in Unit 8 to extend the  
2 season to January 31st. And we'll go ahead and start off in the  
3 order with Robert Willis, the Biologist, is going to go ahead and  
4 give the Staff analysis, and Rachel Mason, the Anthropologist.  
5 And then we'll go ahead and if the Alaska Department of Fish and  
6 Game has any comments, they can do so, and the public.

7  
8 CHAIRMAN OLSEN: Okay.

9  
10 MR. WILLIS: Thank you, Mr. Chair. This proposal would  
11 lengthen the season by one month. It would extend the deer  
12 season which currently ends on December 31, through the end of  
13 the month of January. And it was submitted because of concerns  
14 that the weather on Kodiak Island and the surrounding area is  
15 often too windy and stormy to travel effectively in November and  
16 December, and some people are unable to get out and get the deer  
17 that they needed during those months and therefore requested an  
18 additional month to give them additional opportunity to hunt.

19  
20 This would affect only Federal public lands on Kodiak  
21 Refuge and not the State land on Kodiak Island or other private  
22 lands. Currently, our rough estimate of deer on Kodiak Island is  
23 about 80,000-100,000 animals and about 65 to 70 percent of those  
24 are on the Refuge. The deer abundance is primarily a function of  
25 winter weather and it's not really controlled by harvest,  
26 although in cases of severe winters sometimes hunting pressure  
27 can have impacts on localized deer populations when they're  
28 concentrated on the beaches.

29  
30 The annual harvest runs 7,000-9,000 deer and  
31 approximately half of those are taken on Refuge lands. ADF&G  
32 data from the deer hunter questionnaire survey and Refuge checks  
33 of hunters on Refuge land indicate that non-local hunters account  
34 for about 75 percent of the total harvest on Refuge lands and  
35 about 55 percent of the harvest overall. A lot of subsistence  
36 hunters prefer to wait till late in the season to hunt for  
37 several reasons. The deer are forced down to lower elevations  
38 generally by the snow at that time of the year, it's easier to  
39 take care of meat at that time of the year and also there are  
40 fewer non-local hunters to deal with in the latter part of  
41 November and December.

42  
43 The storm patterns that affect the hunting in December  
44 start in about mid-November and you generally about the same  
45 pattern occurring through January. If there's a lack of snow the  
46 deer stay up at high elevations, which makes them harder to find.  
47 It's harder to see them against a brown backdrop of the brush  
48 when there's no snow on the ground. And so if the hunters have  
49 a lack of snow also, that can be a problem in November and  
50 December.

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1           We don't really know the affect of the weather on the  
2 overall harvest in Unit 8 until the questionnaire survey comes  
3 out, which is generally in about the middle of the summer  
4 following the year in which the hunting took place. So we don't  
5 have that information for this past year. The harvest that would  
6 occur in January is a little bit hard to predict also because of  
7 the variations in weather. In the past ADF&G have had seasons  
8 which extended through the end of January. I think the latest of  
9 those were back in the early to mid-80s, and found that about  
10 five percent of the harvest at that time occurred during the  
11 month of January. So that's kind of a rough figure that we're  
12 using as an indication to tell us what might occur if this season  
13 is extended through the end of January.

14  
15           Under the current regulations residents of Unit 8 have  
16 customary and traditional use of deer in Unit 8. And the  
17 estimated 1996 human population for the unit was 14,058. Most of  
18 these obviously are in the City of Kodiak, and the surrounding  
19 area about 12,000 or so. Coast Guard station is listed as 1,871,  
20 and the six outlying villages total just over a thousand  
21 individuals.

22  
23           Deer are used heavily by all of the households or all of  
24 the communities on Kodiak Island and the surrounding area.  
25 Varies from a low of 22 percent on the Coast Guard base to up  
26 through the 70s, 80s, and in excess of 90 percent of the  
27 households in outlying communities use deer. The production of  
28 deer, that is the amount of deer used, varies from 23 pounds on  
29 the Coast Guard base to as high as 251 pounds in Larsen Bay.  
30 This is based on an ADF&G study a few years back.

31  
32           There is a lot of sharing done too among of the  
33 communities, including the City of Kodiak and the road system.  
34 A January season could cause some localized over-harvest of deer.  
35 When they're pushed down to the beaches by heavy snow and are  
36 concentrated, and also because these are the areas that are most  
37 accessible to hunters, sometimes you can have some pretty high  
38 harvests in a localized area, but it's highly unlikely that that  
39 would impact the deer population in Unit 8 as a whole. And  
40 currently that's how deer are being managed, is on a unit-wide  
41 basis.

42  
43           There are some management concerns that would show up  
44 with this extension of the season, if it's accepted. One is that  
45 since we're dealing only with Refuge lands, and a lot of the  
46 tidelands belong to the State, there is a possibility of either  
47 inadvertent or advertent illegal harvest, shooting deer on State  
48 lands and other lands as opposed to on Refuge lands because  
49 that's where the deer happen to be. There's no boundaries marked  
50 in most cases and a lot of patchwork nature to the land. And so

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1 that's something that needs to be considered. And it would be  
2 helpful if we had a cooperative Federal/State law enforcement and  
3 education effort to go along with this proposal if it's accepted,  
4 to try to counteract that.

5  
6 Our preliminary conclusion is to support the proposal.  
7 We feel that the deer population on Kodiak is relatively stable  
8 at a high level, it's generally controlled by weather and not by  
9 hunt or harvest. The harvest in January would be limited to  
10 residents of Unit 8 only. So non-local hunters would not be a  
11 factor. That would reduce the harvest to some degree possibly  
12 below what it was when the State had seasons opened back in the  
13 80s. So we don't anticipate any kind of a negative impact on the  
14 deer population in Unit 8 as a whole, although there could be  
15 some localized impacts that might show up in future years if we  
16 had a situation with a lot of hunters concentrated in a small  
17 area harvesting deer. That concludes the Staff analysis.

18  
19 CHAIRMAN OLSEN: Thank you. Just one question here. The  
20 five percent that was stated as a January harvest, that would  
21 include all hunters at that time, the sports hunting?

22  
23 MR. WILLIS: That's correct. That was back in the early  
24 80s, 82 to 83 I think was the last season that the State had a  
25 January hunt and that was about the harvest level at that time.  
26 And that included all the hunters in the State.

27  
28 CHAIRMAN OLSEN: All right. Thanks.

29  
30 MR. LUKIN: I have a question, Mark.

31  
32 CHAIRMAN OLSEN: Sure, Ivan.

33  
34 MR. LUKIN: Just thinking about what Bob was talking  
35 about here. How would that affect the State's license fee on the  
36 license? I would think it would go up, wouldn't it, because of  
37 the extra patrolling of the State lands and the.....

38  
39 MR. WILLIS: I'd have to let someone from the State speak  
40 to what they might do if this proposal is passed, Ivan. I'm glad  
41 you mentioned that because something that I failed to mention was  
42 that hunters would be required to have a new State hunting  
43 license for the month of January because it would expire on  
44 December the 31st. So that's something that the hunters would  
45 have to have in mind. Whether there would be an increased  
46 enforcement effort or not I don't know, but it would be helpful  
47 if at least an increased education effort were made to advise  
48 people that they were limited to hunting on Federal lands during  
49 the month of January.

50



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1 MR. LUKIN: Well, I guess the reason why I asked was  
2 because you mentioned -- it didn't sound to me like you guys had  
3 anything out amongst yourselves on what the patrolling or  
4 whatever. You don't have anything going on -- any decisions made  
5 on what would happen.

6  
7 MR. WILLIS: Well, the proposal hasn't been accepted yet.  
8 So it might be a little premature. And I would think that the  
9 Refuge and the State Representative would be better able to speak  
10 to that than I could. They know what their personnel situation  
11 is and I don't.

12  
13 CHAIRMAN OLSEN: Okay. Any other questions here for Mr.  
14 Willis? Hearing none.....

15  
16 (Ensuing discussion on Proposal 41 not audible -  
17 equipment malfunction)

18  
19 MR. WILLIS: Under State regulations you would still be  
20 required to buy a hunting license in order to hunt during the  
21 month of January. You'd just have to buy your license about  
22 seven or eight months earlier.

23  
24 (Ensuing discussion on Proposal 41 not audible -  
25 equipment malfunction)

26  
27 MR. WILLIS: The State regulations are limited to four  
28 deer on State lands. On Federal lands the limit is five deer.  
29 You can take an additional deer on Federal lands.

30  
31 MR. VAN DAELE: Just as a point of clarification, in  
32 Bristol Bay we have mixed State and Federal season. That's where  
33 I've been the Area Manager for the past eight years. And we have  
34 caribou seasons that go from August 1st to April 15th. So we  
35 have a similar situation where you go into two separate years and  
36 have bag limits that go during that same time. So a five caribou  
37 bag limit over there.

38  
39 So it would be an analogous situation to what you're  
40 talking about here. The way the Federal and State systems are  
41 set up now is that you do in fact need a State license to hunt on  
42 Federal lands or State lands. What our guys do out there in  
43 Bristol Bay is I'll go to the villages in December or so and sell  
44 them their 1998 hunting license, or whatever, which is good for  
45 the whole year of 1998. It's not just good for January and it's  
46 worthless after that. It's just a matter of planning, it's just  
47 a matter of getting people out to the villages to take care of  
48 their needs at that time.

49  
50 The second part of the requirement is the harvest ticket.

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1 Again, just like caribou, you have orange ones for caribou, you  
2 have white ones for deer and so forth. Those harvest tickets are  
3 good for a regulatory year. So you only need one set of harvest  
4 tickets. I'm not here to defend the system, it's all mixed up  
5 and crazy, but that's the way that it's laid out.

6  
7 One of the things we've striven for in Bristol Bay, and  
8 we've been real fortunate in being able to do it, is try to align  
9 the State and Federal seasons as much as possible, especially in  
10 species like deer and caribou where we have an abundance of  
11 animals. And when you're talking about someone getting four deer  
12 or five deer, is it really worth all the paperwork hassles in  
13 doing that one extra deer, when you have a designated hunter that  
14 can go out and get more for a family or whatever. And, you know,  
15 that's always one of the dangers of having these dual management  
16 systems, is you get those kind of things that confuse villagers  
17 and everybody alike, makes it even tougher for them. So, anyway,  
18 just again as a point of clarification on that.

19  
20 CHAIRMAN OLSEN: Thank you. I guess because we are  
21 looking at only an extension of the season at this point. So in  
22 1998 when I go to get my hunting license I will get what, four  
23 tags from the State, because I have to get my license from the  
24 State, but yet I'm entitled to five on Federal lands? I'm trying  
25 to figure out how this is meshed together?

26  
27 MR. VAN DAELE: I've been out of the deer business for  
28 about 10 years now, but it used to be we had five tickets on  
29 them. Are there four now on a packet?

30  
31 UNIDENTIFIED VOICE: There are six.

32  
33 MR. VAN DAELE: There's six on a packet. Okay. So you  
34 already have enough tickets. So it's not that big a deal.

35  
36 CHAIRMAN OLSEN: Is there anything on the tickets that  
37 you punch out the date? Is there anything that would be on there  
38 that would show whether it's State land or Federal land? Well,  
39 I'm just trying to look at the potential of any interference, you  
40 know, as far as legality checks.

41  
42 MR. VAN DAELE: If I may, Mr. Chairman, I don't see that  
43 as a problem. It hasn't been a problem with the caribou. As  
44 long as you're not -- you know, if harvest ticket number 5 is the  
45 last one you have left and you took that right in the Village of  
46 Karluk, which is not Federal land, well obviously you took your  
47 last deer on non-Federal land and you're potentially in  
48 violation. But that would be the only time that that ticket  
49 would come into play. If you took number 3, you could take it  
50 just about anywhere if the season was open right then.

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1           CHAIRMAN OLSEN: But in this scenario, after January 1,  
2 we would have to get new tags, new ones for the.....

3  
4           MR. VAN DAELE: Negative. Just new license, not the  
5 tags. The same tags. 1999 license is what you'd have to get.

6  
7           CHAIRMAN OLSEN: Then we would have to -- say I've got  
8 tags left over from 1998, seven that I'm using in 98.

9  
10          MR. VAN DAELE: Correct.

11  
12          CHAIRMAN OLSEN: For 98 then I should be able to get five  
13 more tags.

14  
15          MR. VAN DAELE: In June you start a whole new batch. It  
16 goes June to July, June to July, June to July.

17  
18          MR. CRATTY: That's way it'd be less complicated.

19  
20          MR. TRUMBLE: Mr. Chair, maybe just a comment. I know  
21 just with this caribou that we were recently able to get, a lot  
22 of the guys when they were picking up their permits didn't fill  
23 them out unless they knew for sure they were going to get the  
24 caribou because the season was from November through March. If  
25 they weren't going to get the caribou in November through  
26 December, they held off on filling out the permit and waited till  
27 they got their 98 license to get the number on it. And so it's  
28 because it's the end of one year, beginning of another year and  
29 it was just the choice they made, but we're only talking about  
30 one caribou and not five or nine deer, whatever you've got here.

31  
32          CHAIRMAN OLSEN: I guess what I'm hearing though, it  
33 sounds like we've got -- is there comfort here with the process  
34 that we're looking at at this time?

35  
36          MR. CRATTY: I feel that's what we're looking at, is to  
37 give the people another month and use the tags up that they  
38 couldn't use. I'm basically looking at the people in my village.  
39 I don't think you should issue anymore tags because you've  
40 already got a lot of tags, it's just one more month.

41  
42          CHAIRMAN OLSEN: Let me see if I've got it straight here.  
43 We're going to utilize our 97 permits left over in the January  
44 extension of 98. Once that is done we will not get any tags  
45 until after June, June or July. Is there any other.....

46  
47          MR. BOYD: You seem to be looking for a degree of comfort  
48 for this. And I would say that everything that Larry said is  
49 absolutely correct. And we base this kind of situation on other  
50 things in the State. I think, you know, I know Al based on what

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1 he said has a pretty good grasp of this. Essentially what you  
2 would be doing is getting an extra month within the existing  
3 season and all the tags apply for the shorter season would now  
4 apply to the longer season.

5  
6 CHAIRMAN OLSEN: Sometimes in the past we've kind of  
7 waited till we get right down to the wire and then we find a  
8 complication. I know for one, I, myself did not get a chance to  
9 go out because of differences that came up in the traditional  
10 time that I like to hunt and snow was on the ground. Anybody  
11 else that has anything on this proposal? Steve or Rachel? Okay.  
12 We have this proposal before us, I guess, at this time. Is there  
13 anybody else that has anything?

14  
15 MR. WILLIS: Mr. Chair, I would just ask if there are any  
16 official State comments for or against the proposal that Larry or  
17 someone else from the State might want to present.

18  
19 CHAIRMAN OLSEN: I believe that's what I was trying to do  
20 get a forecast of.

21  
22 MR. VAN DAELE: If I may, Mr. Chair.

23  
24 CHAIRMAN OLSEN: Sure, go ahead.

25  
26 MR. VAN DAELE: As far as the deer population is  
27 concerned, we concur with Fish and Wildlife Service's assessment.  
28 We currently do not have a method of figuring out how many deer  
29 there are out there. It's just a real tough critter to work  
30 with, especially in this climate. But all indications are the  
31 deer population is healthy. It could sustain additional harvest  
32 that would occur on this proposal.

33  
34 Of course as you mentioned, the deer are more vulnerable  
35 that time of year and when they're down on the beaches there's  
36 more of a chance of them being killed in large numbers at a time  
37 of the year when they're under a lot of stress already. Meat  
38 quality will be improved in that you can cool it down exactly  
39 like you say. Of course the amount of fat will be reduced  
40 because it's January.

41  
42 One of the major concerns that we had with this is what  
43 I mentioned earlier, is the idea of a mixed State/Federal  
44 regulation will would be confusing. Because I believe Old Harbor  
45 hunts and also Karluk/Larsen Bay are not on Federal lands. Is  
46 that correct, Al?

47  
48 MR. LUKIN: Well, right now pretty much Old Harbor is  
49 Federal lands.

50

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1 MR. VAN DAELE: Okay. I guess that's the big thing. And  
2 the big potential concern for people who go hunting is that you  
3 don't know exactly where these crazy lines are out there in the  
4 Bush. And if in fact you pass this regulation, I'd strongly  
5 encourage you to submit a proposal for the March 1999 Board of  
6 Game Meeting, having this proposal for all residents.

7  
8 When we had the season opened for everyone in 1982-83, as  
9 is mentioned in the analysis, only five percent of the harvest  
10 was taken at that time. Virtually all of that five percent was  
11 local people because the head-hunters don't come down here. You  
12 know, there are no antlers at that time of year. And most of the  
13 meat hunters really wouldn't bother coming to Kodiak that time of  
14 year because the season -- the daylight is so short and it's not  
15 really good access for aircraft at that time. It's mostly the  
16 people that go out in their own private fishing boats that go  
17 deer hunting.

18  
19 So it may be beneficial if you pass this on the Federal  
20 side to consider proposing it to the State Board of Game or  
21 through the Advisory Committees and try to get that as a unified  
22 type thing.

23  
24 MR. CRATTY: I understand what you're saying. But here  
25 again we are trying to make sure that the subsistence user get  
26 his needs met. We have not been successful to get this extension  
27 as of yet. I think it's premature to say that no other hunters  
28 will come in, as Kodiak has been every year growing, the number  
29 of people hunting. At this point I would rather the State work  
30 with the Federal side to insure that the local residents at least  
31 get a trial basis for a year or two to see how it's going to  
32 work, so we have some kind of statistics to work with. I would  
33 not like to see it opened up to the whole wide world for that one  
34 month. That's my personal feelings. And I think it would  
35 jeopardize that which we are trying to accomplish.

36  
37 CHAIRMAN OLSEN: Is there any other comments you'd like  
38 to discuss? Okay. Hearing none, I guess that will bring it  
39 before the Council. On this proposal, we make any motion to  
40 accept? I don't hear the motion to accept this proposal. Do I  
41 hear a second?

42  
43 MR. SMITH: Second.

44  
45 CHAIRMAN OLSEN: Moved and seconded. Any more  
46 discussion? Call for the question. Question's been called.  
47 Those in favor of the proposal signify by aye.

48  
49 IN UNISON: Aye.

50

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1 CHAIRMAN OLSEN: Those opposed by the same sign.

2  
3 (No opposing responses)

4  
5 CHAIRMAN OLSEN: Looks like it's going to be written in,  
6 this proposal, Proposal 41, that we modify the deer season in  
7 Unit 8.

8  
9 MR. EDENSHAW: The next proposal is RFR 97-05, and that's  
10 a Request for Reconsideration regarding a customary and  
11 traditional use determination determination for elk in Unit 8.  
12 And if you'll look on page one under the RFR here, just following  
13 this proposal we just completed with the black-tailed deer, there  
14 is also an executive summary and there's the RFR that the State  
15 submitted, the two-pager here. And following that is the c&t  
16 information that Rachel has put together. And I'll go ahead and  
17 turn that over to her.

18  
19 MS. MASON: Thank you, Mr. Chair. What I'm presenting  
20 now is the analysis of the RFR, right, Cliff?

21  
22 MR. EDENSHAW: Yes.

23  
24 MS. MASON: Okay. Yeah. What I'm going to be presenting  
25 to you is a response to the ADF&G RFR. And what they had  
26 requested was that the Federal Subsistence Board reconsider the  
27 c&t determination that was made last year for elk. The original  
28 proposal came up in the 1997 cycle and it requested a positive  
29 c&t for elk in Unit 8 for all residents of Unit 8.

30  
31 Prior to the Regional Council meeting and some of the  
32 public testimony that came up there, the Staff analysis supported  
33 a positive c&t only for the residents of Port Lions and Ouzinkie  
34 for elk. And at that February 1997 meeting, there was testimony  
35 from the Regional Council members and as well as from -- notably  
36 from a resident of Kodiak City, Ivar Malutin, that there are  
37 extensive connections by a marriage and kinship among all of the  
38 communities in Unit 8. Mr. Malutin offered testimony that Kodiak  
39 City has a larger native population than any of the other  
40 communities and that many of the people living here have  
41 connections or have migrated from some of the outlying villages.

42  
43 So the Council found this compelling enough to indicate  
44 a qualifying pattern for the entire Unit 8 for elk. And the  
45 Staff Committee and Federal Subsistence Board also found this  
46 information to be persuasive. So they adopted the Regional  
47 Council's recommendations to provide a positive c&t for elk for  
48 all residents of Unit 8.

49  
50 This RFR states that the record has insufficient

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1 information to indicate that all the residents of Unit 8 should  
2 have a positive c&t. And the RFR notes that the original Staff  
3 analysis supported a positive c&t finding only for some of the  
4 communities and not all. I don't think I'll belabor the original  
5 analysis because I think you're all familiar with that. But just  
6 to bring out some of the highlights, the ADF&G permit information  
7 indicates that at least since 1986 more of the elk hunters who  
8 have reported harvesting elk have come from the City of Kodiak  
9 than from any of the other Unit 8 communities.

10  
11 Of course since the City of Kodiak has a population at  
12 least 20 times more than any of the other communities, that's not  
13 surprising. Port Lions was also well represented among the  
14 harvest tickets, following also by Ouzinkie, Old Harbor and some  
15 of the new communities that were established on Afognak Island,  
16 including the Aleneva, the Russian Old Labor Community and a  
17 couple of logging settlements. And then according to ADF&G  
18 Division of Subsistence harvest survey data, the communities with  
19 the highest level of use of elk were Port Lions, Ouzinkie, and  
20 the Kodiak Road System, including Kodiak City.

21  
22 No new information concerning uses or harvests of elk  
23 have become available since the Board meeting. Just to  
24 summarize, the ADF&G's concerns about the decision, the RFR  
25 contends that the available information supports a positive c&t  
26 determination for Ouzinkie and Port Lions, but not for the other  
27 communities. The RFR doesn't comment directly on the Regional  
28 Council's reliance on the connections by kinship, marriage and  
29 migration among the communities, but the RFR points to the lack  
30 of information that fulfills the eight factors. So that the  
31 implication there is that kinship and marriage connections alone  
32 are not enough to constitute positive information for positive  
33 c&t.

34  
35 So in order to respond to these points of concern, I  
36 would like to request of the Council that if you have some  
37 specific information concerning the kinship and marriage  
38 connections among the communities and how this affect elk  
39 harvesting, that would be very helpful in supporting a positive  
40 c&t and responding to the RFR. So any testimony that you might  
41 be able to offer concerning, for example, your personal  
42 experiences harvesting with people from other communities, that  
43 would help support the positive c&t. So I'll end with that.

44  
45 CHAIRMAN OLSEN: I guess some question comes to my mind  
46 when we allow all of Unit 8 this c&t, when all of Unit 8 isn't  
47 c&t, customary and traditional. This here absolutely opens doors  
48 to any resident of Unit 8 then?

49  
50 MS. MASON: Any rural resident, which is all the

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1 residents of this unit. Yeah, instead of community by community,  
2 it's something that includes everybody here.

3

4 CHAIRMAN OLSEN: So it looks to me like we could have a  
5 real potential high number of taking of elk under the broad Unit  
6 8 subsistence c&t. I guess what -- where we would differ from  
7 c&t and non-c&t, I guess that would be my question, what kind of  
8 determination affect -- I don't see anything that precludes  
9 anybody from claiming c&t?

10

11 MS. MASON: Right. Well, we have generally done c&t  
12 determinations by community. And this is a real case in point of  
13 how that might include a lot of people who have not had an  
14 opportunity to establish a tradition of harvesting with Kodiak  
15 City. There are a number in Kodiak City who have moved here in  
16 the last few years. So that we don't at this time have a way of  
17 dealing with the idea that certain enclave communities or sub-  
18 communities within a larger community might have more of an  
19 established tradition than others in that community.

20

21 MR. EDENSHAW: Rachel, may I ask you a question?

22

23 MS. MASON: Yeah.

24

25 MR. EDENSHAW: Last year the Board passed a positive c&t  
26 for elk for all residents of Unit 8. Now, what is the Board  
27 going to do in May regarding the RFR that the State submitted,  
28 because we received a stack of them from other regions here in  
29 the State? So what is likely to happen regarding -- like for  
30 last year, when we went -- when this was originally -- when we  
31 were in Kodiak last time and last year the Board gave a positive  
32 c&t. So if no new information is brought up in the Regional  
33 Council and come May -- I know in the books it's already a  
34 positive -- it's already a done deal, there's a positive c&t;  
35 would the Board reconsider?

36

37 MS. MASON: I'm going to turn to Sue for an explanation  
38 of that.

39

40 MR. EDENSHAW: Because I think the one comment I have is  
41 that I think when Ivar Malutin was here in Kodiak, I felt that  
42 the information that was submitted at the RAC was sufficient  
43 enough to warrant a positive c&t for the residents of Unit 8.

44

45 MS. MASON: When there is an RFR then the Board responds  
46 to that. And Sue can elaborate on that more.

47

48 MS. DETWILER: The State submitted this RFR in response  
49 to the Board's decision last May. And rather than take action on  
50 the RFR at that time, the Board decided to defer it and have it



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1 go before the Regional Council, to have the Council evaluate the  
2 RFR, see if there was any additional information that they wanted  
3 to include. And the Board will -- after you guys review it, the  
4 Board will take it up at its May meeting and make a final  
5 decision on it. So basically the Board has just deferred its  
6 action pending another recommendation or evaluation.

7

8 CHAIRMAN OLSEN: Al?

9

10 MR. CRATTY: Yeah, Mr. Chair, I'd like to say something  
11 for the people of Old Harbor here. I think the way the economics  
12 is going and the fact that old Harbor hasn't been up here to hunt  
13 elk and have the -- like she says, we didn't have the boats or  
14 transportation to use, now we do. I think the way fishing is  
15 going and everything else is going subsistence is a big matter  
16 for the community.

17

18 CHAIRMAN OLSEN: Ivan?

19

20 MR. LUKIN: I think the question I have for Rachel and  
21 maybe people from the State is, Rachel, on your studies are you  
22 taking it just basically off of harvest tickets from the past, or  
23 from living at home in the last year working right at home? I  
24 don't see anybody coming out from the Federal government that is  
25 going house to house asking questions on this issue, which I feel  
26 is pretty important. The reason why I'm bringing that up is I  
27 believe more of the locals would be involved in State hunt if we  
28 were able to get the permits. And just looking year after year  
29 in the outcome of the draw, it appears to me that basically the  
30 same people year after year on the State draw get the permits.  
31 I don't feel it's right that you have two members from one  
32 household, a father and son drawing a tag on the same year. I  
33 believe it's unfair to the rest of the community. I feel it  
34 should be distributed a little more amongst the community  
35 members. So I would hope that you people would take this into  
36 consideration on what's happening in the outlying communities.

37

38 MS. MASON: Well, just to respond to the first part of  
39 what you said. The original analysis depended very heavily on  
40 the State research that had been done in previous years. It was  
41 done based not on my original research, but just incorporating  
42 the Division of Subsistence research as well as the harvest  
43 ticket data. So that's why I think we're in need of more  
44 testimony I think from the experiences of people who live in the  
45 communities that would further buttress the original  
46 determination.

47

48 CHAIRMAN OLSEN: This questions brings to light too the  
49 same objection that I have to it. How many different hunts does  
50 the State have now on elk? Can anybody give me a number on that?

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1 How many different openings, different areas?

2

3 MR. VAN DAELE: Larry Van Daele, Fish and Game, again.  
4 We manage Raspberry Island, Southeast Afognak, both a drawing and  
5 a registration for Southeast Afognak and then Northeast Afognak.  
6 And within those four main hunts we have several different times  
7 that you can pick up a permit.

8

9 CHAIRMAN OLSEN: Correct. And prior -- to be eligible  
10 for the drawing you have to buy a State license and you have to  
11 pay a fee for the drawing, correct?

12

13 MR. VAN DAELE: For the drawing permits that is correct.  
14 However, most of Afognak is by registration, a large portion of  
15 it is.

16

17 CHAIRMAN OLSEN: Is there any number that show how many  
18 animals are taken by permit and registration?

19

20 MR. VAN DAELE: Yes, sir, we have those data. I don't  
21 have them with me. I could get them for you if you wanted them.

22

23 CHAIRMAN OLSEN: Yes, I think that's very important to  
24 the issue. As I say, under subsistence hunting people can't  
25 afford to put in money in an envelope for a chance at possibly  
26 one of the many hunts that are available through the State  
27 system. That is what I feel very much against the local  
28 subsistence user. So with that I -- it brings more problems than  
29 answers I feel. Craig?

30

31 MR. MISHLER: Is this open to discussion now?

32

33 CHAIRMAN OLSEN: Yes. I would like to hear all sides of  
34 the story.

35

36 MR. MISHLER: Craig Mishler, with the Alaska Department  
37 of Fish and Game, Division of Subsistence in Anchorage. I just  
38 had a few comments on this since this Request for Reconsideration  
39 did come from our Department. The primary intent of this RFR is  
40 not to undermine or reverse the determination that was made at  
41 last year's meeting, but to develop the eight criteria that have  
42 been established. And at the moment we don't find that  
43 information from our harvest surveys or elsewhere.

44

45 And I was just by coincidence talking to Mitch Simionoff  
46 (ph) in Akhiok. And are we on the radio today? I thought he  
47 might be listening in on the radio, but since the broadcast isn't  
48 being carried I'll convey to you his comments to my question. I  
49 said had the people in Akhiok ever traditionally hunted elk? And  
50 he said, well, no, not to his knowledge. And he is president of

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1 the Tribal Council. So I think he's in a position to be pretty  
2 knowledgeable about this. He said it's just too expensive for  
3 Akhiok people to go that distance to get elk. At the same time  
4 he said that there were some Akhiok people that had moved to  
5 Kodiak that he thinks hunt elk, but from his knowledge that's  
6 never been a customary and traditional practice for Akhiok.

7  
8 So this is the kind of thing that we need more of, more  
9 testimony from people and Tribal Councils to establish if there  
10 is a record or if there isn't a record. And I think that maybe  
11 a better case can be made for some communities than others. But  
12 at the moment our evidence shows that it's primarily Port Lions  
13 and Ouzinkie that have used that herd. That's all I have to say.

14  
15 CHAIRMAN OLSEN: Your numbers don't show any of the  
16 Kodiak residents?

17  
18 MR. MISHLER: There is certainly -- there is record of  
19 harvest of elk by people in Kodiak and I think from the Staff  
20 analysis.

21  
22 MS. MASON: Oh, yeah. It's dominated by people from  
23 Kodiak, the harvest.

24  
25 CHAIRMAN OLSEN: So I see, you know, just from my  
26 personal knowledge I do know people from Larsen Bay area and  
27 Unimak and I definitely know in the Old Harbor, myself as I am no  
28 longer in the self-employment business of fishing and what have,  
29 that I have had to take on another job I depend on -- a lot of my  
30 friends do bring me any fish and game anymore. So I do realize  
31 how important that is. But I have a very hard time living here  
32 47 years to know that just Ouzinkie and Port Lions. There again  
33 Port Lions was a village that was moved due to the 64 quake.  
34 That would eliminate any residents that lived on the Island of  
35 Afognak because of whether they moved to Kodiak or other places.  
36 I just feel a certain unjust about that. I don't have the  
37 answers, but I do definitely see a problem with the way it's  
38 being looked at to be allocated at this time.

39  
40 MR. MISHLER: I just, you know, had in front of me this  
41 list of eight factors and I think all of these factors are  
42 important in making that determination on c&t. And one of those  
43 factors is the pattern of use recurring specific seasons for many  
44 years. So it can't just depend on one hunter going on one year  
45 maybe through a drawing permit to hunt elk. That doesn't  
46 establish it as a customary and traditional under that criteria.  
47 So these are the things -- and there's eight of them to go  
48 through. So it's not a simple matter to decide. But what we're  
49 asking is the same thing that the Federal Staff is asking, that  
50 there be some more evidence to include these other communities.

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1           CHAIRMAN OLSEN: Right. And certainly I know we really  
2 have questioned such as the caribou herd. We have time and time  
3 again questioned how are these statistics come in. We never have  
4 agreed that the measurement that they use is accurate. Here  
5 again Kodiak dominates, then why was Kodiak left out? What part  
6 of the eight factors is that?

7  
8           MR. MISHLER: Well, my recommendation would really be to  
9 do some in depth interviews with elders and active hunters in  
10 these communities to determine that there is an active and  
11 continuous harvest that meet these eight criteria. Ivar Malutin  
12 might be one source. I think he's perhaps persuaded this body  
13 just on the basis of his emotion and his speaking eloquence to  
14 include everybody. And I don't think that it's a prudent just to  
15 on the basis of these findings -- on the basis of someone -- one  
16 person's testimony and rhetoric. But that's not to discredit  
17 Ivar's credibility but, you know, really it needs to be examined  
18 in more detail.

19  
20           CHAIRMAN OLSEN: Certainly. On the same respect I don't  
21 think it should be taken away because of the lack of it neither,  
22 for those individuals that do participate. Here again, like I've  
23 said, it's been so locked up and there's never been a subsistence  
24 hunt on elk and you're at the mercy of the State to get your name  
25 drawn. If that happens, our statistics are what? Then they're  
26 purely sports tickets. And certainly how can you meet any of the  
27 eight if that is in fact so?

28  
29           MR. LUKIN: Mark?

30  
31           CHAIRMAN OLSEN: Yes, Al.

32  
33           MR. LUKIN: I've got a question. I mean you give Port  
34 Lions and Ouzinkie customary and tradition. You get a school  
35 teacher that's moved in there for a year, he can go out and  
36 subsist for elk. I've lived in Alaska all my life, born and  
37 raised and not allowing me to. That's just not right. I think  
38 you guys have got to look into the future too of the subsistence,  
39 not just customary and tradition. There's a lot to look at.

40  
41           MR. MISHLER: Well, I suppose the eight factors could be  
42 modified in some way that you thought would be more adequate.  
43 These have been established by the State and now the Federal  
44 system is adopting the same eight factors. And if you don't  
45 think those are adequate, then maybe there's an opportunity to  
46 re-examine the eight factors if you maybe think that there are  
47 other additional factors, like lifelong resident. But I have no  
48 idea who coined these eight factors. They're sort of set in  
49 concrete. And I don't know where they came from. I inherited  
50 them when I started working for Fish and Game 10 years ago. They

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1 were part of the State c&t system.

2

3 CHAIRMAN OLSEN: I understand that. That we still are a  
4 long ways apart on this, it seems kind of evident at this point.  
5 I think time in itself is going to have a great impact on it,  
6 such as a factor number 9 of landowners, how are they going to  
7 accept all of this going on. I think in the future they are  
8 forced to step in and give their factors. At this time many of  
9 these hunts are going on on private land with no authorities from  
10 the landowners. I think that's outright ridiculous from the  
11 State point of view to give out permits to hunt an animal on  
12 lands that are not even owned by the State. Anyway, that's a  
13 different factor. What I see is we tried to come to agreement on  
14 this that's going to work for all, but it doesn't seem to be in  
15 the books at this point. I certainly wish to hear and hope to  
16 hear testimonies that are going to be a factor in these  
17 determinations.

18

19 MR. MISHLER: That's all I have.

20

21 CHAIRMAN OLSEN: Thank you, Craig. Yes, Tom?

22

23 MR. BOYD: I think, Mr. Chair, that it be appropriate to  
24 speak to this discussion of the eight factors since it's been  
25 brought up by Mr. Mishler. And the Federal Board has -- the  
26 Chairman of the Federal Board, the Board has sent a letter to the  
27 Alaska Department of Fish and Game addressing this very issue.  
28 And I think what we're dealing with here is a difference in I  
29 think viewpoint or philosophy on how these criteria, these eight  
30 factors should be applied in decision making.

31

32 And the Federal Board has been quite clear that their  
33 view of these factors are not, as Mr. Mishler has put it, set in  
34 concrete. Certainly they are embodied in our regulation, the  
35 Federal regulations, and certainly the regulations says that  
36 decisions will be made based on these factors, but the Board  
37 reviews these determinations and the analysis of these c&t  
38 determinations and uses the eight factors as guidelines and  
39 reserves the prerogative to make decisions on eligibility on  
40 other information brought before it.

41

42 And also I think includes in their consideration some of  
43 the concerns that you mentioned, that the absence of data should  
44 not preclude the Board from making a determination that is  
45 inclusive rather than exclusive. I think looking to the statute,  
46 Title VIII of ANILCA to insure that subsistence uses are provided  
47 for and receive the priority that's set in the law. So I wanted  
48 to just briefly clarify that, that there are different viewpoints  
49 in operation here. And giving respect to the Alaska Department  
50 of Fish and Game, they have one viewpoint and I think the Federal

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1 system has taken another viewpoint, a more liberal if you will,  
2 a more inclusive view of these determinations. And it's not as  
3 rigid as the State would have us apply these eight factors.

4

5 CHAIRMAN OLSEN: As we are on the subject of the eight  
6 factors then, I ask if Kodiak itself has shown the lions share,  
7 which would be a part of these eight factors, yet they were  
8 excluded.

9

10 MS. MASON: Mr. Chairman, I could respond to that.  
11 Certainly that -- and here is an example where the eight factors  
12 are not applied rigidly or the way that we're going to weigh one  
13 factor against another. We have a consistent long term, as long  
14 as the elk have been here, pattern of use by Kodiak residents.  
15 But then you could ask if that meets the other factors too. And  
16 some of those address more cultural factors that are not based on  
17 statistics or anything like that, things like the transmission of  
18 values from generation to generation, or a pattern of sharing, a  
19 pattern of resource use of all -- of wide variety of resources.

20

21 So the eight factors include many aspects of subsistence  
22 use beyond just having a lot of use. So they wouldn't -- a  
23 community like Kodiak that had used elk would not necessarily  
24 qualify just on the basis of having taken the lion's share of elk  
25 over the years.

26

27 CHAIRMAN OLSEN: Then it's no longer a factor.

28

29 MS. MASON: It's one of the factors, but it's not the  
30 sole factor.

31

32 CHAIRMAN OLSEN: It sounds to me like it's getting more  
33 like the Coast Guard, at the discretion of the inspecting  
34 officer. I mean I do appreciate the flexibility that we are  
35 trying to work in here, but yet on the other hand it's really  
36 mind-boggling. I guess the question I raise in my mind all the  
37 time is, when we come to customary and traditional use in our  
38 eight factors in this, is there any room for saying putting a  
39 time frame to qualify you as a customary and traditional use? I  
40 mean to be eligible for customary and traditional use you might  
41 have to have so many years as a resident in the specific area.  
42 I don't know, is that.....

43

44 MS. MASON: It was purposely left flexible so that there  
45 isn't a certain amount of years that you'd have to have used it  
46 for 30 years or something like that, because that's recognizing  
47 that different areas of the State, that there may be different  
48 situations that are appropriate for different areas of the State.

49

50 CHAIRMAN OLSEN: No, Rachel, the point I'm getting at is

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1 that to be considered customary and traditional, such as we in  
2 the State determine residency on time, could not that be a factor  
3 as far as determining a eligibility for c&t? You must be a  
4 resident of a certain unit or ex-amount of years or time?

5  
6 MR. BOYD: You mean as an individual?

7  
8 CHAIRMAN OLSEN: Yes.

9  
10 MR. BOYD: Not as applied to a community?

11  
12 CHAIRMAN OLSEN: Right. I'm trying to find a way from  
13 everybody that just moves in to be eligible for c&t because c&t  
14 was for basically the people that have lived in these areas and  
15 are known and have depended on these resources since time  
16 memorial.

17  
18 MS. MASON: That's certainly has been something that's  
19 been discussed as a problem. Many times that we don't have a  
20 residency criterion, however, as Tom is suggesting, the eight  
21 factors are a community criteria rather than individual ones.  
22 And just off the top of my head I can think of a problem if we  
23 added an individual residency requirement. How would that affect  
24 somebody, for example, who had moved from Old Harbor to Kodiak  
25 and then back? Would we have a certain number of months that  
26 you'd have to be in the particular community?

27  
28 CHAIRMAN OLSEN: I would say that you would be a resident  
29 of the unit. Since it is in fact the total area, Unit 8.

30  
31 MR. BOYD: Just trying to play on what Rachel has said.  
32 I think the viewpoint or the approach that the Federal program  
33 has taken is that subsistence is a communal activity. And if we  
34 get into sort of dicing that up between individuals, then we get  
35 away from that concept of subsistence as something that the  
36 community takes part in. Moreover, I think looking at a system  
37 that applies eligibility criteria, i.e., length of time in a  
38 region or a community, then I think we're going to --  
39 administratively it'd be very difficult to administer that kind  
40 of program because we would always be looking at individual  
41 criteria and I don't know over time how many thousands of people  
42 we'd have to review on an annual basis to deal with that sort of  
43 thing.

44  
45 I think taking the approach that subsistence is something  
46 that a community participates in, if you've got in-migration and  
47 out-migration in the community, when an individual becomes part  
48 of that community the assumption, and it may be correct and it  
49 may not be correct, but that that person becomes part of that  
50 community and a participant in that lifestyle. And that may not

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1 make sense for some situations. But in terms of trying to  
2 administer a program, for the most part that community would  
3 continue to participate in that lifestyle, whether individuals,  
4 say school teachers come and go or not.

5  
6 CHAIRMAN OLSEN: Yes, community I can agree as you know,  
7 Tom, here, but it seems to me that our governing bodies today  
8 have criteria that make you eligible to be even a resident. I  
9 mean let's take the sports fishing. You can get a one day  
10 fishing permit, a three day fishing permit, or you can get an  
11 annual permit. And the cost of that permit depends on what?  
12 Whether you've been here? Whether you've got a residency here or  
13 not? Resident versus non-resident? We're talking the same issue  
14 here.

15  
16 Here again, as I've always said, I'm very concerned with  
17 our Coast Guard here. God forbid, everybody should be allowed to  
18 subsist, but I also feel that when they are here they jeopardize  
19 even our rural status. That has been discussed. I just have a  
20 hard time seeing it as a complete communal thing when people can  
21 come up here and land on the airplane and they're part of the  
22 community. Boom, they can hunt. Is that what we're trying to  
23 manage? I don't know. Ivan?

24  
25 MR. LUKIN: I don't know how many of us remember what  
26 Craig had to say last winter I believe it was in the borough  
27 building on Old Man Nelson from Port Lions and why -- what the  
28 original intent was for the elk being planted in Afognak. Well,  
29 if some of us aren't familiar with that -- with what Craig  
30 brought up, I think maybe he needs to speak up on that. But, you  
31 know, if you people are familiar with this Federal land here,  
32 that I no means want to take any sides between Federal or State  
33 but, you know, I look at this map of Federal lands on Afognak  
34 Island and look where the Federal lands are bunched up in the  
35 corner here. It reminds me of a tribe of indians down south that  
36 got pushed off of the plains into a reservation, give them a  
37 little tiny chunk of land there.

38  
39 I mean this is what we're dealing with here as are as  
40 this elk issue here. You know, it's not fair. I mean the bulk  
41 -- the animals are -- I mean for us to take half a dozen  
42 communities or whatever around the Island of Kodiak, plus the  
43 City of Kodiak and try to take ex-amount of animals off that  
44 little chunk of land, it's just not going to work. We've got to  
45 be fair with this whole deal here. What's 10 percent of what's  
46 on that little chunk of land? Can't be very much and it's not  
47 going to satisfy many people.

48  
49 CHAIRMAN OLSEN: Certainly that is one of my concerns in  
50 that I have mentioned before if we can't, I think that the



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1 landowners are going to have to get involved with it. That's  
2 kind of another situation I see where it's going to throw out all  
3 our eight criterias. I just hope that we can all work together  
4 and find some kind of resolution on this before we have to  
5 entertain another side.

6  
7 MR. BOYD: Let me conclude by a couple of remarks. I  
8 think what Ivan has pointed out is one of the big downside to  
9 dual management. With State management, unified management you  
10 have management across the State irrespective of boundaries and  
11 land status. With Federal management the law says we have  
12 jurisdiction on the public lands. And that little corner on  
13 Afognak is all the domain that we have. And that's unfair and I  
14 agree with you, Ivan, it is flat unfair, it doesn't make sense,  
15 but that's what we have to operate with. But that's sort of  
16 beyond our control in this setting. So we have to deal with the  
17 cards that have been dealt to us. So that's one point I want to  
18 make.

19  
20 And coming back to the c&t issue. These are very  
21 difficult determinations to make. Particularly, given the fact  
22 that we don't have complete understanding of all of the uses.  
23 And, you know, the data that's collected, even though it's a good  
24 body of information there that the State has collected over the  
25 years, it's not complete and it's not perfect. Moreover, the  
26 kinds of issues you brought up, Mark, about the restrictions in  
27 being able to obtain permits and the lack of reporting has  
28 created situations where the data is just not there or hasn't  
29 been accurately reported. So you get into these situations.

30  
31 And I think what the Federal Subsistence Board is looking  
32 for, and this is how it's set up under the law, we're looking for  
33 your wisdom. We're looking for an understanding from the Council  
34 and a recommendation that's reasoned and has some basis and  
35 rationale. And we're looking for the Councils to help the Board  
36 make some of these difficult decisions. So we're looking for  
37 your understanding. I mean all of you are from different parts  
38 of the island or the region and you have some understanding of  
39 what's going on out there. So we're looking for your  
40 understanding. If the first determination is not good and you  
41 make that determination and you want to refine it, that's fine.  
42 And clearly the Board will give a lot of deference to your  
43 recommendation.

44  
45 But if you find that the recommendation you made on this  
46 earlier determination should stand, I'd say that's your  
47 recommendation and put it before the Board. But we're not going  
48 to have clear information on all these issues. It just simply  
49 isn't going to exist. I mean it's going to be incomplete. So  
50 we're asking you to sort of help us fill in the gaps.

1 CHAIRMAN OLSEN: And certainly, Tom, that's our intent.  
2 Certainly I feel just looking at a place like (indiscernible)  
3 lands, I feel you're bringing the people against each other more  
4 so. And here again I have to say again it's the State that's  
5 been out of compliance for 30 years and we still continue to  
6 suffer at the subsistence side because the Federal government  
7 won't take no action to correct or make them be in compliance  
8 with. I know it takes time, but 30 years to have the subsistence  
9 people on the hot seat. I think we can do better than that. I  
10 hope so. And that's what I feel, is that I'm not saying the  
11 State is bad, I'm not saying the Feds or bad or anybody is good  
12 or bad, I'm just saying in the meantime that we have indifference  
13 between the two governments, who suffers? I think that's one of  
14 the factors that should be in there. Thank you, Tom.

15  
16 MR. BOYD: Okay. Craig, comment?

17  
18 MR. MISHLER: I think Ivan reminded me a little bit of  
19 what I said last year, from which I got a lot of flax from my  
20 colleagues from reading the transcript of an interview with John  
21 Nelson, Sr., here in which he said that he was there when the elk  
22 were introduced to Afognak Island and the biologist or the person  
23 who was transporting and introducing the elk told him that they  
24 were putting them there for the benefit of the Natives. Whether  
25 he meant the Natives of Afognak I don't know, or Ouzinkie or  
26 wherever, or for the whole Island or the whole State, because the  
27 word Native can be used so many different ways.

28  
29 But just by chance the day after that day I gave the  
30 testimony I did an in depth interview with Ed Opheim, Sr., who's  
31 here in town now, but has lived on Spruce Island most of his  
32 life. And I asked him about the introduction of the elk and he  
33 gave me exactly the same story. I don't have that transcript  
34 here with you today, but he was also present when the elk were  
35 introduced and he also confirmed that orally anyway this policy  
36 was to introduce the elk for the benefit of the Alaska Native --  
37 for the Natives of the area. I'm glad that's on the record also.

38  
39 CHAIRMAN OLSEN: Thank you, Craig. I guess in addition  
40 to that I don't think it should be overlooked that it was these  
41 people of this community that worked very hard to share during  
42 the harsh winters that took care of this small elk population to  
43 see that it survived. There was many people that volunteered  
44 that helped to insure that this would become someday a vital  
45 source. I guess time, as they say, a full stomach soon forgets.  
46 It's still there. My mother she was -- that was her village.

47  
48 Do we have any more comments here on this proposal?  
49 Hearing none I'd like to take at least a 10 minute break here  
50 before we conclude on this issue.

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1 (Off record)

2

3 (On record)

4

5 CHAIRMAN OLSEN: Our five minutes of course is only five.  
6 But we would like to reconvene this meeting here and take up  
7 where we left off under the RFR. I guess what's before us, the  
8 Council here at this point is to look at how -- whether we're  
9 going to accept Port Lions and Ouzinkie or the complete unit.

10

11 MR. CRATTY: I'd like to make one more testimony before.  
12 In refreshing my mind here I'd like to say, you know, that we've  
13 had hunting partnerships with Port Lions and Ouzinkie before back  
14 in the early 80s and late 70s to where us people from Old Harbor  
15 would take our boats over there and pick up the people in Port  
16 Lions and Ouzinkie and go elk hunting and vice versa, they'd come  
17 down there and go duck hunting. And I'd just like to say that so  
18 we've got that on record. We do that for elk with Peter  
19 Skwertzoff (ph) and the Pzykosky (ph) boys from Ouzinkie and the  
20 Skwertzoffs (ph) from Ouzinkie and Port Lions.

21

22 CHAIRMAN OLSEN: Thank you. Any other testimony or  
23 otherwise?

24

25 MS. MASON: Mr. Chairman, I think what is expected of the  
26 Council, in addition to providing testimony such as Mr. Cratty  
27 just did, also to just either to accept the RFR -- or to support  
28 the RFR or to not support it.

29

30 MR. BOYD: Or maybe to modify it.

31

32 MS. MASON: Or to modify it if that is the option that  
33 you want to pursue.

34

35 MR. CRATTY: Mr. Chairman, could we make a motion to not  
36 -- to accept the RFR and to accept the way it was written before?

37

38 MS. MASON: Yeah, that would be to not support the RFR,  
39 to reject the RFR. Yeah, that's the kind of recommendation that  
40 is expected.

41

42 MR. SMITH: Does the motions have to be positive though,  
43 you have to move to accept it.....

44

45 MS. MASON: Oh, I guess, so. Yeah.

46

47 MR. SMITH: Motions have to be in a positive form, if I  
48 remember right.

49

50 MS. DETWILER: You can move to reject the RFR. That's

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1 all you need, other than a rationale to show the Board.....

2

3 CHAIRMAN OLSEN: Okay. Were you making a motion?

4

5 MR. CRATTY: Yeah, I'll make a motion to reject the RFR  
6 because of the fact that I don't agree with it, with the  
7 customary and tradition of just Ouzinkie and Port Lions. I feel  
8 that the rest of Kodiak should be involved, or villages involved  
9 in this.

10

11 CHAIRMAN OLSEN: I feel isn't this RFR, isn't that what  
12 it's doing? In fact, it says this regulation provides customary  
13 and traditional c&t use determination for Unit 8 to include all  
14 residents of Unit 8, and as a result of action taken by the  
15 Federal Subsistence Board under Proposal number 37 in the spring  
16 of 1997 meeting.

17

18 MS. MASON: Yeah, that's what the Board decided last year  
19 with input from this Council, to give it to all of Unit 8. And  
20 then the RFR is challenging that decision. And so what Al just  
21 made the motion was to reject that RFR.

22

23 MR. CRATTY: And to accept what the Board had made a  
24 decision on last year.

25

26 MS. MASON: Yeah, so you're just upholding what was done  
27 last year.

28

29 CHAIRMAN OLSEN: Let me run back then because as I read  
30 it here for which it is then the one last year was, I believe,  
31 for just the two villages.

32

33 MS. MASON: Well, what's confusing is that the original  
34 Staff recommendation was only for the two villages. And then the  
35 Council went ahead and recommended all of Unit 8, and that's what  
36 the Board upheld. Now the RFR by ADF&G is coming back and  
37 they're saying it should only be for the two villages. And so  
38 they're challenging the Board's decision. And so it's up to the  
39 Council now to either continue to support what you did last year,  
40 which was for all of Unit 8, or to go with what the RFR would  
41 like, which would be for only two villages. And a third  
42 possibility would be for you to modify it and have some other  
43 solution.

44

45 CHAIRMAN OLSEN: Thank you. Sometimes they come from all  
46 angles and it's hard to see where it all sets. Thank you for  
47 clarifying that. We have a motion on the floor. Do I hear a  
48 second? The motion on the floor to reject the RFR.

49

50 MR. CRATTY: Second.

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1 CHAIRMAN OLSEN: Moved and seconded. Discussion? On the  
2 discussion I would just like to say the feeling of comfort that  
3 has been explained to me that under this here, is it c&t or  
4 subsistence, Tom, that requires to live in that unit, in other  
5 words, own a home? Can you be more specific for me on that,  
6 please?

7  
8 MR. BOYD: Okay. Just to be clear, so that we  
9 understand, under the general regulations in the Federal  
10 regulations dealing with eligibility for subsistence uses, this  
11 is Section 5, Part B, where the Board has made a customary and  
12 traditional use determination regarding subsistence use of a  
13 specific fish stock or wildlife population, in accordance with  
14 and as listed in Part 24, only those Alaskans who are residents  
15 of rural areas or communities so designated are eligible for  
16 subsistence taking of that population on public lands for  
17 subsistence uses under these regulations.

18  
19 And so I point to the word resident here in that  
20 statement and go back to the definition of resident in our  
21 regulation, which means any person who has his or her primary  
22 permanent home within Alaska and whenever absent from this  
23 primary home has the intention of returning to it. So the key  
24 here is that we're talking about people who have their primary  
25 permanent homes in the communities that you're dealing with in  
26 this request for reconsideration. So the several communities in  
27 the Unit 8 area. I won't say anymore than that unless you have  
28 questions. So we're talking about people residing in these  
29 communities would be eligible under the current regulations.

30  
31 CHAIRMAN OLSEN: As I had mentioned, I believe my only  
32 concern was people that do transit, how we are going to protect  
33 our resource and customary and traditional uses accordingly, and  
34 it sounds to me like that does have verbiage in there to take  
35 care of that concern to the most part.

36  
37 MR. BOYD: Okay.

38  
39 CHAIRMAN OLSEN: Thank you, Tom. Are there any more  
40 questions for Tom or discussion here? Thank you. No more  
41 discussion?

42  
43 UNIDENTIFIED VOICE: Question.

44  
45 CHAIRMAN OLSEN: Call for the questions then. We have a  
46 motion on here to reject this RFR. All those in favor signify by  
47 aye.

48  
49 IN UNISON: Aye.

50

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1 CHAIRMAN OLSEN: Those objecting same sign.

2  
3 (No opposing responses)

4  
5 CHAIRMAN OLSEN: Certainly then we do -- have rejected  
6 the RFR. Sue.

7  
8 MS. DETWILER: I'm going to -- for your Council I'm going  
9 to be recording the motions and also the Regional Council's  
10 rationales for whatever actions they take and I just want to make  
11 sure that I have the rationale down that will go to the Board for  
12 justifying your recommendation. And I'm not sure how closely you  
13 want to stick to -- how closely you want to challenge the points  
14 that the State made in their RFR. They were challenging the fact  
15 that the other communities other than Port Lions and Ouzinkie did  
16 not satisfy the eight criteria. And so that's going to be what  
17 the Board is going to have to focus on when they address this  
18 RFR.

19  
20 And you've come up with several reasons and I just want  
21 to make sure that I have them so that if you want to add any  
22 more, then you can do that, because this will be the synopsis of  
23 what goes into the Regional Council recommendation that the Board  
24 is going to look at, if that's okay with you.

25  
26 CHAIRMAN OLSEN: I believe one of my main reasons is that  
27 I certainly as a resident of Kodiak have known many of the long  
28 time residents here that have hunted elk. Again, the way the  
29 State system is set up where we have to be assured a chance to go  
30 for the drawing you must fill out many, many different  
31 application and permit fees. By the time you get these all in  
32 for a chance at maybe one, you might have spent a whole winter's  
33 funding on that permit rather than consumption that you might not  
34 be able to buy at the store. That's one of them.

35  
36 MS. DETWILER: Okay. And what I have is -- so what that  
37 brings me to then for the Regional Council justification is that  
38 Council members have personal knowledge of Kodiak residents  
39 hunting elk, it's expensive and difficult for communities to  
40 establish c&t because of the difficulty they've had in obtaining  
41 the elk permits under the State system, and residents of Old  
42 Harbor have hunted with residents of Ouzinkie. And then there  
43 was Mr. Cratty's comments that all Kodiak communities should be  
44 involved, although that doesn't necessarily apply to any of the  
45 eight factors.

46  
47 MR. CRATTY: Yeah, we've hunted with the residents of  
48 Ouzinkie and Port Lions.

49  
50 MS. DETWILER: Okay.

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1 CHAIRMAN OLSEN: And as far as that criteria goes, Sue,  
2 I just don't feel that the studies of Kodiak are accurate at this  
3 point. I personally challenge those as to those Kodiak residents  
4 that are involved with elk.

5  
6 MS. DETWILER: Okay. So studies of Kodiak c&t uses are  
7 inadequate.

8  
9 MR. CRATTY: I'd like to say I think some way they could  
10 look at it if it does go through is maybe look at so many permits  
11 to a certain village, the same way they do the caribou up in Cold  
12 Bay and that. So maybe five for permits to Kodiak or 10 to Port  
13 Lions, 10 Ouzinkie or five to Old Harbor or whatever. So there  
14 isn't going to be an overall burden on the herd up here or  
15 whatever.

16  
17 MR. BOYD: I think you're fixing to address an open  
18 season in the next proposal.

19  
20 MR. DETWILER: Right.

21  
22 MR. CRATTY: Oh, okay. Thank you.

23  
24 CHAIRMAN OLSEN: I believe the statement made about  
25 Akhiok, I find that to be very true, that the resources from  
26 their village that the cost is prohibitive and that's the only  
27 attack there I believe on why they do not choose to participate  
28 in the elk.

29  
30 MS. DETWILER: Okay. But you would still want Akhiok to  
31 be included in the c&t?

32  
33 CHAIRMAN OLSEN: Yes. I believe that's the wish of the  
34 Council at this time, not to exclude any part of Unit 8.

35  
36 MS. DETWILER: I guess I would just point out then that  
37 when the Board discusses Akhiok, if they do discuss that  
38 community individually, they're going to want to know if it's too  
39 expensive for that community to hunt elk, then why they would  
40 qualify for a c&t determination?

41  
42 CHAIRMAN OLSEN: I believe that's as a whole. I mean  
43 there is others I'm sure that do and have hunted elk. Here again  
44 how much has been put into this as far as how many people did they  
45 talk to in Akhiok, one? I don't believe that we've done enough  
46 research. I feel that's a part of it as well.

47  
48 MS. DETWILER: Okay.

49  
50 CHAIRMAN OLSEN: What time of the year are these

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1 conducted? Are they done during the summer when everybody's gone  
2 fishing? I mean there's a lot of possible reasons why we might  
3 have come up with.....

4  
5 MS. DETWILER: Um-hum.

6  
7 CHAIRMAN OLSEN: Ivan?

8  
9 MR. LUKIN: You know I've been thinking about this deal,  
10 just traveling up to the Federal land and how much it's going to  
11 cost some of us to get up there and spend a couple of days or  
12 whatever it takes to get an elk. And under that c&t I imagine  
13 you're going to take everything and make sure you've got the last  
14 with you when you're hauling it out of there too, you know. So  
15 I think we need to take in consideration that regardless of the  
16 cost to me or anybody else around the Island, that c&t or  
17 subsistence should be -- it should really be open to people like  
18 Al and the other villages, you know. If they choose to hike  
19 across land to go shoot and elk up there, then that's what they  
20 choose to do. But I really don't think it's fair to those people  
21 that did participate in it in the past.

22  
23 CHAIRMAN OLSEN: To lose out?

24  
25 MR. LUKIN: Yeah, right. You're setting up another  
26 limited entry is what you're doing, you know. It's not fair to  
27 those people that did participate in it.

28  
29 MS. DETWILER: Thank you. And I would just thank you for  
30 indulging me. My intent is not to challenge the decisions of the  
31 Council, but to help you make as strong a recommendation as you  
32 can. So thanks.

33  
34 CHAIRMAN OLSEN: Thank you, Sue. As they say, moving on.  
35 I guess that takes us to Proposal number 42. Under Proposal 42  
36 it is to establish season. Would you like to take a minute to  
37 read this proposal?

38  
39 MR. EDENSHAW: No, we can jump into it. Proposal 42 is  
40 to establish an elk season. And prior to this we just discussed  
41 last year the Board met and passed a positive c&t for all  
42 residents of Unit 8. And this proposal is the result of that  
43 positive c&t. And when we met in Cold Bay last year Vincent  
44 Tutiakoff I believe was the proponent of this proposal. In terms  
45 of the hunting season, the Proposed Regulation is Afognak Island  
46 only and it's for September 1st through the 25th. And with that  
47 I'll just go ahead and let Robert jump into the analysis.

48  
49 MR. WILLIS: Well, the proposal that was submitted by  
50 Vince last year with a September 1 opening date was designed to



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1 provide subsistence users an opportunity to hunt before the  
2 regular State season opened. The current State opens on  
3 September the 25th and runs through the end of November. You  
4 have a map in your book which shows the only Federal lands which  
5 have elk on them. It's on the second page of this Staff  
6 analysis. And it shows Afognak Island with the area of Federal  
7 land shaded.

8  
9 The elk were introduced to Afognak in 1929. The first  
10 season was held in 1950 and that was a permit hunt with some  
11 general hunting seasons beginning in 1955. The particular area  
12 that we're discussing here, which currently has a State season on  
13 it, is opened to unlimited elk hunting by registration permit.  
14 There's no drawing to hunt in this particular area we're dealing  
15 with here. There's an unlimited number of registration permits  
16 available.

17  
18 ADF&G survey data indicate that the total elk population  
19 on Afognak and Raspberry range from about 600 to about 1,500  
20 animals since 1960, with an estimated average population of about  
21 1,000. The Refuge portion of these lands have a small herd of  
22 elk that ranges on and off of them, it's called the Waterfall  
23 herd because of the Waterfall Lake area in there. And part of  
24 the Refuge called Hidden Lake Basin has these elk on it  
25 periodically through the year. They don't stay on there all the  
26 time, they are constantly moving on and off of Federal lands. So  
27 it's a little bit hard to pin them down and say this particular  
28 herd of elk is on Federal lands at any particular time.

29  
30 There have been from three to 10 elk harvested each year  
31 on the Refuge portion of Afognak. Again, as with the deer, where  
32 you have differential Federal and State regulations and a  
33 patchwork of lands, you're going to have some management  
34 concerns. The Federal lands are not marked, the State lands are  
35 not marked and with differing regulations there's always a  
36 potential for either unlawful activity or people inadvertently  
37 violating the law and being prosecuted for it.

38  
39 We had an alternative opening date suggested also of  
40 August the 15th. And the idea was that while the recommendation  
41 was for an opening date of September 1, there was some curiosity  
42 about whether or not it could be opened earlier than that without  
43 any detriment to the population. We took a look at that and  
44 while we did not come up with an biologically detrimental  
45 impacts, in talking to people who are familiar with that area  
46 it's pretty warm and rainy in August in that country and there  
47 was some concern about meat spoilage and also about being able to  
48 hunt because the brush is so thick at that time of the year.

49  
50 Since we initially did this proposal or the Staff

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1 analysis on the proposal that you have in front of you and put it  
2 in the books, we got some new information which we need to  
3 consider at this meeting. Our recommendation to support the  
4 proposal was based on a couple of things. First of all, that  
5 area was remote and relatively inaccessible and we thought we  
6 could have an unlimited subsistence hunt in there and not have  
7 concerns about too many elk being harvested.

8  
9           It's been pointed out to us that there's some ongoing  
10 logging in the area. And that in fact the State comments that  
11 came in after this book was published indicated that those  
12 logging roads have now been pushed to the very boundary of the  
13 Refuge. I tried to follow up on that, I called the Refuge a  
14 couple of weeks ago and tried to get some information to find out  
15 how many roads there were and whether or not they actually  
16 reached Federal lands. Unfortunately, we don't have anybody from  
17 the Refuge here. Robert Stovall and Gus Johnson were supposed to  
18 go up there sometime within a couple of weeks after I called them  
19 to check out the area and I don't think they got that done.  
20 Since Robert's not here I can't really ask him. And I'm hoping  
21 maybe that someone in the audience who is more familiar with that  
22 area than I am might have some information for the Council to  
23 consider on what the access situation really is up there and how  
24 many people would actually -- if the trails go to the Refuge  
25 boundary, how many people would actually have access to it by  
26 those roads.

27  
28           Another concern that was raised was the designated hunter  
29 concern. This proposal contains a request for a designated  
30 hunter option. And elk being herd animals and the fact that  
31 there's a relatively small number of elk on these Federal lands,  
32 there was some concern that too many elk could be shot out of  
33 this particular herd under a designated hunter option. And I  
34 think the Refuge comments that were provided to Cliff will have  
35 some comments on that.

36  
37           At this time our preliminary conclusion is still to  
38 support the proposal with a September 1 opening and an unlimited  
39 number of permits. And I think I'll stop there and let Cliff  
40 present the information that the Refuge has and then go to  
41 questions and discussion.

42  
43           MR. EDENSHAW: Thank you, Robert. Mr. Chair, Robert  
44 Stovall presented me yesterday when I met with him a three or  
45 four page paper with the Refuge's comments. And he was to have  
46 presented some information with some of these surveys. And the  
47 report is done on the Kodiak National Wildlife Refuge. But this  
48 here is in regards to Proposal 42 and its concerns and Robert has  
49 brushed over some of those.

50

00035

1           The first one here in -- and this is regarding Proposal  
2 42 for the elk season here. The herd vulnerability to over-  
3 harvest becomes a problem if party hunting size is large and many  
4 animals are taken from one area at one time. The State or  
5 Federal government may not have enough time to close the hunt and  
6 preventing this over-harvest. The second concern is herd  
7 accessibility may be increased due to the addition of logging  
8 roads to or near the Refuge boundary. Also, having many large  
9 animals down would cause a problem properly handling the meat and  
10 removing from the field. The third one is bear safety will  
11 become a problem when more than one elk is down while bears are  
12 still very much active. The potential for bear/hunter conflict  
13 increases and therefore chances for increased DLP take of bears.  
14 And DLP is defense of life and property.

15  
16           And possible solutions, he states that limit the number  
17 of elk down at one time to two elk per party/trip or a trip  
18 limit. Limit the number of permits issued and when they can be  
19 in the field. Limit designated hunters to one elk instead of two  
20 in their possession, or require the first elk taken to be  
21 transported to camp before another elk is killed. And I put a  
22 handout in front of you which on the cover page is Kodiak NWR  
23 Agent's Report and on the last page are the comments that I read  
24 into the record here that Robert put down regarding this  
25 proposal.

26  
27           CHAIRMAN OLSEN: I certainly feel if we look at all  
28 possibilities and what's possible, that we hunters push all the  
29 elk over to this area. I mean we can suppose all we want. I am  
30 mostly concerned with the elk -- of the population. That's the  
31 ultimate factor. I don't know, this seems kind of strange to me.  
32 During the normal elk season, maybe somebody from the State can  
33 tell me, has there been any limit to any elk being down at one  
34 time, one area, or a big problem with bears when the hunters are  
35 in full action? I don't know, this is the first scenario brought  
36 to my attention. I certainly am very much aware of elk being  
37 cured and hanging around the camps and things like that, yes. Or  
38 when we have to leave an elk for so long a time in the field  
39 while you're transporting it, certainly these things happen. Can  
40 anybody highlight me as to why that might be a concern?

41  
42           MR. VAN DAELE: Mr. Chairman, if I may, Larry Van Daele,  
43 Fish and Game again. With the State season, as you know it's by  
44 registration permit, we issue an unlimited number of permits for  
45 free and the bag limit is one elk per person. There is not an  
46 authorization except through our proxy forms which haven't been  
47 used much in the past for elk. There's no authorization for an  
48 individual to take more than one elk, although of course it  
49 happens.

50

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1           You know, the elk being a herd animal and if you happen  
2 to get into a herd and your buddies aren't with you the  
3 temptation is to take one for each of your buddies and then  
4 hopefully they'll come over and help you pack that sucker out,  
5 which is a big hope sometimes because they're big animals. So  
6 that is the big difference between the Federal proposal and the  
7 current State regulation. Is, as I say, for the State we  
8 currently have no provision for people to take more than one  
9 animal at a time, legally. The Federal provision would allow  
10 that with the designated hunter rule.

11  
12           CHAIRMAN OLSEN: The State doesn't have a subsistence  
13 hunt on elk neither, do they?

14  
15           MR. WILLIS: The State has an open season on elk for  
16 Alaska residents. And, of course, we don't designate subsistence  
17 versus non-subsistence hunts. We treat all Alaska residents the  
18 same.

19  
20           CHAIRMAN OLSEN: I find that hard to believe when we have  
21 sport fishing areas only. I can't say it's being treated all the  
22 same.

23  
24           MR. WILLIS: Well, I'm not here to debate the politics,  
25 just the biology.

26  
27           CHAIRMAN OLSEN: Sure, I'm just giving you why I don't  
28 see it that way.

29  
30           MR. WILLIS: Yeah.

31  
32           CHAIRMAN OLSEN: In fact, I would like to see this area  
33 as subsistence hunting only for many purposes, as well as the  
34 health of the herd as a concern. Al?

35  
36           MR. CRATTY: Yeah, I'd like to make a statement. I think  
37 this limit to two -- the number of elk down at a time of two elk,  
38 party/trip limit. I think one elk for two people is a lot of --  
39 I've got a few elk. It's a lot to handle them out. I think  
40 that's one way of doing it.

41  
42           CHAIRMAN OLSEN: As to limit to one?

43  
44           MR. CRATTY: One for every -- well, if you've got a  
45 hunting party of two people like you say, me and you, we can only  
46 shoot one elk, you've got that one elk to take care of. Then you  
47 ain't got no wanton waste or bear problems. Because that's work,  
48 you know, just trying to get one of them out. By the time you  
49 get it -- you know, what you're going to take out and then hang  
50 the rest, to go back and get out. I mean if they're looking for

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1 a reason to limit the number of elk down, I know if I had a  
2 partner with me I'd only shoot one elk. There is no way I'm  
3 going to shoot two of them because I ain't -- you ain't got the  
4 time to worry about two of them and worry about the bears getting  
5 them.

6  
7 CHAIRMAN OLSEN: Well, but by the time you shoot yours  
8 and then my turn comes up, the elk herd is 10 miles away. So  
9 that would all of a sudden become my elk, you've got to go get  
10 yours.

11  
12 MR. CRATTY: Well, you can look at it that way or have  
13 the bear take it. I mean if you're at any distance from where  
14 you're hunting it's -- that's the way I've always hunted.

15  
16 CHAIRMAN OLSEN: Certainly. Certainly. But I just feel  
17 that regulating it and mandating it isn't the answer.

18  
19 MR. CRATTY: Oh, I think they've got a point there  
20 though. I mean you don't want a bunch of people going in there  
21 and shooting a bunch of elk and not getting them out and have the  
22 bears drag them out.

23  
24 CHAIRMAN OLSEN: Well, certainly, but I feel that if that  
25 was the status quo with all the hunting seasons, well then we  
26 wouldn't have a point of contention, but it is not that way.

27  
28 MR. VAN DAELE: Mr. Chairman?

29  
30 CHAIRMAN OLSEN: Yes.

31  
32 MR. VAN DAELE: If I may interject something biological  
33 here, not political. We're talking about a herd of 120 animal  
34 and a potential group of people to harvest them of what, 10,000  
35 people in Unit 8? Is that an appropriate number? So I think Mr.  
36 Cratty has a real important point here. This isn't the same as  
37 deer, for instance, because we have a lot of deer and just a  
38 small relative number of people that want them. Here we're  
39 talking about an animal that's 1,500 pounds perhaps, 1,200  
40 pounds, and real bear problems up there with the brush you're  
41 going to have to deal with and so forth, and a very limited  
42 number of those animals in a small area, not all over the place.  
43 So I believe that you have a point that this is different than  
44 other places, other species and so forth.

45  
46 CHAIRMAN OLSEN: Okay. But then does the State have a  
47 general season then in all areas, or just one area?

48  
49 MR. VAN DAELE: Well, are we going to discuss the State  
50 seasons here or just the proposal? I can answer either way you'd

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1 like to go with it.

2

3 CHAIRMAN OLSEN: Well, is this what we're talking about,  
4 is the amount of animals given for the one area that seems a  
5 concern and to why we're talking about one animal down.

6

7 MR. VAN DAELE: Okay.

8

9 CHAIRMAN OLSEN: We don't find that consistent with the  
10 rest of the elk domain.

11

12 MR. VAN DAELE: Well, I guess the way we manage elk on  
13 Afognak and Raspberry is by herd. They're a very difficult  
14 critter to manage because they're the size of a moose, they stay  
15 in group and like you say, if you see the group you've got to  
16 take advantage of them when they're there, otherwise they're  
17 going to be on the other side of the mountain. That's why we  
18 have such a complex regulatory system for elk, why we have some  
19 drawing, some registration, this date, that date and so forth.  
20 Those are all attempts to give everyone a fair chance, but also  
21 keep the animals in a -- well, manage the resource as best we  
22 can.

23

24 As I mentioned earlier, the State does have a provision  
25 where one individual can only take one elk. And I think that's  
26 what we're getting at here.

27

28 CHAIRMAN OLSEN: I don't disagree with that, but I guess  
29 what we're talking about is one elk down or so many, two elk down  
30 at a time. There might be many different hunting parties. I  
31 can't see that.....

32

33 MR. CRATTY: Cliff, didn't you say for us to look at  
34 these concerns?

35

36 MR. EDENSHAW: No, these were written comments that  
37 Robert Stovall from the Refuge gave to me yesterday. Those are  
38 concerns that the Refuge has.

39

40 CHAIRMAN OLSEN: And if we can't defend them, then they  
41 must be real.

42

43 MR. CRATTY: Well, I think they are real. I feel the  
44 number of elk down at a time to one elk per two people. I mean  
45 you can't handle -- me and you go shoot an elk, there's no way  
46 we're going to do it in one day, I mean to take care of it.

47

48 CHAIRMAN OLSEN: But then on the same hand if we both  
49 have a bead on an animal at the same time and we shoot  
50 simultaneously, then we're opening our doors for prosecution to

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1 ourselves. Does that ever happen? I might have got two elk with  
2 one shot, not intending to.

3

4 MR. CRATTY: Well, I'm thinking of the area, Mark, and  
5 how dense it is up there and the possibilities of -- you know I  
6 could see where I'd be concerned if you get them on the beach and  
7 you can shoot more than one. But with the way the area is and  
8 the way you'd have to hunt up there, just there's no way. I  
9 don't think you could take care of two elk.

10

11 CHAIRMAN OLSEN: I don't argue that point. I think one  
12 elk is plenty for anyone. I guess it's before us though as to  
13 are we in agreements here to -- we're here, I guess, on this  
14 proposal is to establish the season which currently we have from  
15 September 1 to September 25. I'm not real comfortable with that.  
16 When does the elk season open, the State season?

17

18 MR. VAN DAELE: I believe it's Novem -- it's in your  
19 packet there.

20

21 MR. WILLIS: September 25th.

22

23 MR. VAN DAELE: September 25th through November.

24

25 MR. WILLIS: I think we have several things to consider  
26 here, Mr. Chair, in addition to the season. The fact that this  
27 proposal contained a designated hunter provision. We also have  
28 to look at limiting each hunter to one elk and not allowing a  
29 designated hunter option for this is one option. Allowing a  
30 designated hunter, which would allow one person to shoot more  
31 than one elk. Or, as the Refuge has suggested, limiting the  
32 harvest to only one elk per each two hunters. So you have three  
33 options that we're discussing here about harvesting the elk, in  
34 addition to discussing the season.

35

36 CHAIRMAN OLSEN: Then as I see it here this would only be  
37 opened for elk from September 1 to September 25th?

38

39 MR. WILLIS: The State season would then continue after  
40 that. You could continue hunting after the State season under  
41 State regulations in the same area after September the 25th.

42

43 CHAIRMAN OLSEN: Well, what is the response from the  
44 Council here? We've heard some options here. Do we -- yes, Al?

45

46 MR. CRATTY: I personally think September 1st is too  
47 early. I'd like to see it September 15th to whatever.

48

49 CHAIRMAN OLSEN: I believe the intent of this was to give  
50 the subsistence hunter a head start over the rest of the hunters.

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1 My personal belief too is September 1 is earlier than I like  
2 to.....

3  
4 MR. WILLIS: Mr. Chair, I believe at the meeting when  
5 this proposal was discussed and put forth no one was really  
6 certain about when they wanted it to open and that's why we were  
7 giving two possible opening dates, one was September 1 was  
8 mentioned, the other was August the 15th. The idea being that in  
9 doing the analysis we would look at these possible dates and  
10 consider any problems and then at this meeting finalize an  
11 opening date for this hunt.

12  
13 CHAIRMAN OLSEN: I want to hear some more from the  
14 Council here. Ivan?

15  
16 MR. LUKIN: I was thinking about what Bob said. I mean  
17 the last meeting I attended there was -- I believe that there was  
18 some talk about percent of the herd being taken. What's  
19 happening with that? Now I heard you kind of mention something  
20 about when it's opened or.....

21  
22 MR. WILLIS: At the time we weren't concerned about  
23 trying to limit the number of permits because of the difficulty  
24 of access and the fact that you're talking about elk that move on  
25 and off Federal lands and are not always available on Federal  
26 lands. And the fact that a lot of people will not travel that  
27 far to hunt. So we were not terribly concerned about trying to  
28 limit the number of subsistence hunters who would go into this  
29 area. If there is better access because of the logging roads  
30 now, as I mentioned, we may need to take another look at that.

31  
32 Percentage-wise there's an average of about six or seven  
33 animals per year taken off Federal lands up there, which is less  
34 than 10 percent of the population.

35  
36 MR. LUKIN: I think one of the things I'd like to bring  
37 up is in fact being an earlier season, which I think would be  
38 good for subsistence, but on the other hand on protecting the  
39 herd, and if the herd is as small as you claim it is, is with the  
40 other season opening up on the 25th, and we're looking all of the  
41 communities getting involved and a whole mess of people up there  
42 trying to hunt the hand full.

43  
44 MR. WILLIS: Well again we're doing a little guess work  
45 here I guess, Ivan, but the fact that that area has been opened  
46 to hunting by local people for a week or two weeks or three weeks  
47 prior to the general season I would think would encourage people  
48 from going in there and picking that area to hunt rather than  
49 some other area. And maybe that's a misconception on my part.  
50 And I would defer to Larry and some of the local people who've



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1 hunted that area on that issue.

2

3 MR. SMITH: Seems like you're going to want as much time  
4 to subsistence hunt. I mean I don't know the area very well but,  
5 you know, the more time you have the better it is for the people  
6 to get an animal. Like I say, I don't know the area that well  
7 either or the consequences of the area. But I myself would like  
8 to see the subsistence area going up there.

9

10 CHAIRMAN OLSEN: I guess the first thing that I want to  
11 look at is the September 1 to September 25th. I do recall us  
12 talking about the August opening and I thought we all agreed that  
13 it was too early. I guess we are looking at the September 1 to  
14 September 25, I guess as the season for that area. Is there any  
15 indifference with that? I guess we made the choice last year to  
16 look at this. I don't think our options are any other than that,  
17 if we are to get the subsistence hunting advantage.

18

19 MR. WILLIS: Mr. Chair, I would defer to Al who has a  
20 greater knowledge of that area on that issue. I personally have  
21 not hunted that area and whether a subsistence priority is 25  
22 days or 24 days in September, or 10 days or two weeks or  
23 whatever, I think probably should be predicated on how it will  
24 impact the herd and the difficulty of getting the meat out of the  
25 field and this type of thing.

26

27 CHAIRMAN OLSEN: I guess here again the concern would be  
28 if we have a lot of hunter pressures in there and we take too  
29 many animals, is there going to be monitoring and emergency  
30 closures on a certain percentage of.....

31

32 MR. WILLIS: From the Federal standpoint we're breaking  
33 new ground here. And whatever we do would have to be closely  
34 coordinated with the State since we're going to have -- are  
35 likely to have two separate seasons. Larry, would you care to  
36 comment on that?

37

38 MR. VAN DAELE: Mr. Chairman, the State will monitor the  
39 hunt as we do now through registration permit cards and there may  
40 be some on the ground monitoring, but probably not. It will  
41 probably be through the registration permit cards. And we have  
42 a mandate not to allow a hunt to go past biological limits. So  
43 we will close the State side by emergency order if we feel that  
44 we exceed what the harvestable surplus is. And I would assume  
45 we'd do it in conjunction with the Federal government as we have  
46 in other areas.

47

48 CHAIRMAN OLSEN: So it could be potentially even closed  
49 then before a State opening?

50

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1 MR. VAN DAELE: That's a potential. And the timely  
2 reporting will be critical because we have such a small number of  
3 animals in a large hunting populous for that group.  
4

5 MR. WILLIS: Excuse me, Mr. Chair. We've just had  
6 someone from the Refuge come in, if you would like to have his  
7 comments on this issue.  
8

9 CHAIRMAN OLSEN: We are always willing to take all the  
10 information we can get.  
11

12 MR. WILLIS: Mike, would you come up and speak to the elk  
13 issue, please?  
14

15 MR. HAWKES: I'm not sure I have any specific comments on  
16 it. We've looked at it as far as the Refuge is concerned and we  
17 have no problem with the basic proposal. It does have a lot of  
18 potential for abuse for illegal kills around the Island if they  
19 get off the Federal land, because the Refuge only has a small  
20 portion of Afognak. We've got about 42,000 acres up there. And  
21 part of that is on Ban Island, which is separate.....  
22

23 CHAIRMAN OLSEN: All of Ban Island?  
24

25 MR. HAWKES: Yeah, we own all of Ban Island. I know part  
26 of the proposal was for a designated hunter permit for the hunt,  
27 and that would certainly work, but there's some -- with elk being  
28 such a large animal there's a potential there for bear problems  
29 with people shooting too many elk, getting them all down at the  
30 same time and not being able to get them out of the field in a  
31 timely manner and the bears moving in on them.  
32

33 So we had several thoughts on how to stay away from that  
34 and one was to require that they remove the first elk from the  
35 field before they could shoot another elk. Get it back to camp  
36 or get it on their boat or wherever they're going to take it.  
37 And that would keep them from getting a whole bunch of elk meat  
38 down at the same time in one spot, and still allow for a  
39 designated hunter permit.  
40

41 There was a couple of other proposals on how to clean  
42 that up and I'm not sure exactly what they had in mind on those,  
43 but they didn't come out of our office, I don't think, I'm not  
44 sure. Do anybody have any questions on anything? I know there  
45 was some logging roads questions on how close the logging roads  
46 did come to the hunt area, the Refuge part. And there is a  
47 couple of places where they come within a half a mile of the  
48 Refuge boundary.  
49

50 CHAIRMAN OLSEN: I certainly ask myself why do we use

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1 that for any of our purposes. As we know now, Afognak is strung  
2 with hundreds of miles of road. So therefore if we're going to  
3 use that as a contention on this area, it should be utilized on  
4 State managed land as well. I think we're crossing over personal  
5 fears over situations that have been in place for many years. I  
6 don't think that's right at all. That, number 1, I think we  
7 should have access to Federal lands and they are there. That is  
8 a difficult place for boats to encounter in late fall. I  
9 certainly don't agree on making regulation because of a road.

10  
11 MR. HAWKES: No, it just makes it a little easier to  
12 access the elk in that part of the area. But you're still a half  
13 a mile from the boundary right now. I'm not certain how close  
14 they're going to go with the road. We've got their intentions on  
15 the map, but sometimes they get a little carried away. So we  
16 don't know.

17  
18 CHAIRMAN OLSEN: Then I guess I ask what is the concern  
19 in conjunction with the road?

20  
21 MR. HAWKES: Just makes it easier access. There's a  
22 couple of spots where you're within a half a mile and it's some  
23 fairly flat country. One of the spots is some real rough country  
24 where you hit the Refuge boundary and I don't think there'd be  
25 any problem with that, but if you're worried about somebody going  
26 in there with a pickup with an ATC in the back and then running  
27 into the Refuge with it, you know, that could cause problems and  
28 give them a definite advantage. Somebody that had access to the  
29 road system would have a definite advantage over any other  
30 hunter, any other subsistence or sport hunter for that matter.

31  
32 CHAIRMAN OLSEN: I don't take it as a real concern. Like  
33 I said, the Island is covered by roads.

34  
35 MR. HAWKES: Yeah, but there are only a few people that  
36 have vehicles on the Island. I think that's where the concern  
37 comes. Because the rest of the people don't have vehicles on the  
38 Island and the ones that do that can use the road system would  
39 have an advantage.

40  
41 CHAIRMAN OLSEN: There is no private vehicles allowed on  
42 the Island.

43  
44 UNIDENTIFIED VOICE: Loggers.

45  
46 CHAIRMAN OLSEN: There is no private vehicles at all  
47 allowed on the Island.

48  
49 MR. HAWKES: Yeah, I'm aware of that, but the loggers  
50 have buddies and they -- there have been several instances where

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1 guys have shot bears and elk using the logging company vehicles  
2 on the lands the way it is now. So that's just the way it is.

3  
4 CHAIRMAN OLSEN: I just don't think that we're setting  
5 regulations on those that don't abide, I think we shouldn't be  
6 setting regulations for those that do abide by law. We will  
7 never get rid of all of them. Appreciate the concern, but I also  
8 do know that in the past years when the logging roads did go into  
9 the eastern section, that in the previous years we had upwards of  
10 50 animals harvested that year. They closed it after three  
11 animals. So I think there is unjust on both sides. Al, did you  
12 have a.....

13  
14 MR. CRATTY: Yeah, I was going to say on this date that  
15 we had set up, now thinking back I think that we had set it for  
16 September 1st to September 25th because of the weather and  
17 getting up there. I think that's what we had come to a  
18 conclusion that it was too tough to get up there in October and  
19 November for the subsistence users.

20  
21 MR. WILLIS: That rings a bell with me too, Al, now that  
22 you've mentioned it. There was a concern about the weather, was  
23 the reason that September 1 was selected. As to the logging road  
24 issue, Mark, the concern was that unlike having the entire Island  
25 opened, we're talking about a very small area and concentrating  
26 quite a few hunters on it. So if there was good, easy access by  
27 road, then you might have to limit the number of permits issues.  
28 That was the reason for trying to find out how close the logging  
29 roads came to the Federal lands and how many people had access to  
30 those roads.

31  
32 MR. CRATTY: And I'd just like to state for the record  
33 that's one of my concerns too. What Mike said is you've got the  
34 loggers up there and they've got all the time in the world to  
35 drive their trucks up there and take advantage of this  
36 subsistence issue when we're trying to make a subsistence for our  
37 people.

38  
39 CHAIRMAN OLSEN: Certainly if we look at that I think it  
40 brings the question more in depth then. As under our regulation  
41 here that determines residency of owning a home, I don't know.  
42 Would the logging camps be included in that because none of them  
43 own their homes there, they're all -- none of them are privately  
44 owned. These are all company-owned homes so we can't say that  
45 they're residents under the criteria where they must own their  
46 home in the area.

47  
48 MS. TRUMBLE: How many permits are we talking about for  
49 this? There's only.....

50

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1 CHAIRMAN OLSEN: So I don't know. We're getting  
2 ourselves tangled in a web here that.....

3  
4 MR. LUKIN: Yeah, they could clean it up before we even  
5 get a chance to get out there.

6  
7 MR. CRATTY: That's why these possible solutions, limit  
8 the number of permits and when they can be in the field. That's  
9 one of the possible solutions that Cliff had brought up. I don't  
10 know, you know, there's no way of stopping them from subsisting  
11 too.

12  
13 MS. MASON: Mr. Chairman, I just wanted to clarify for  
14 the record that you don't have to own a home to be considered a  
15 resident. That it's -- it's establishing a domicile, but it's  
16 not -- it doesn't -- you don't have to own it. You could rent it  
17 or whatever.

18  
19 CHAIRMAN OLSEN: The only reason I bring that up is  
20 because I know that the largest portion of these loggers come in  
21 from out of State under contract. Certainly -- is the gap opened  
22 for discussion, I guess, if nothing else. How is that going to  
23 be handled? Are they accepted as residents even though they're  
24 up here working on the job?

25  
26 MS MASON: Once they're here for year. Once they are  
27 paying taxes, their kids are in schools, renting or the company  
28 is providing them a house. They get a driver's license.

29  
30 CHAIRMAN OLSEN: What were the alternatives here again,  
31 Cliff? Can you read those one more time?

32  
33 MR. EDENSHAW: On the last page of this the possible  
34 solutions are limit the number of elk down at one time to two elk  
35 per party/trip or a trip limit. Limit the number of permits  
36 issued and when they can be in the field. Limit designated  
37 hunters to one elk instead of two in their possession. And I  
38 think that third option, if you look at the beginning of the  
39 proposal inside our booklets, under the issue the proposal also  
40 contains the request for a designated hunter option, whereby a  
41 Federal qualified subsistence user could designate another  
42 Federally qualified subsistence user to take on elk on his  
43 behalf. And then it goes on to say the designated hunter would  
44 be required to obtain a designated hunter permit, return a  
45 completed harvest report and could have no more than two harvest  
46 limits, two elk in his or her possession at any one time. So I  
47 think the third one is addressing this portion in the initial  
48 proposal. And the last is require the first elk taken to be  
49 transported to camp before another elk is killed.

50

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1 CHAIRMAN OLSEN: I'd say this is a multiple issue as we  
2 have it now. I think at this time then I would like to go down  
3 these item by item and see where the Council is. And at that  
4 time if there's any discussion on it I would also like to hear it  
5 at the time too. As we have this proposal in front of us, the  
6 main thing I guess to start off with is our opening and closing  
7 time. Are we together on that or are we indifferent about it?  
8 Is there anybody that has any problem with the opening and  
9 closing of September 1 to September 25th? Okay.

10  
11 MR. CRATTY: I'd like to make a motion to accept it.

12  
13 CHAIRMAN OLSEN: Pardon me? I guess the next thing to  
14 discuss then is the possible solutions that we have to limit the  
15 number of elk down at one time to two elk per party or trip.

16  
17 MR. CRATTY: Like I stated, Mr. Chair, I think what we  
18 should do there is one elk down.

19  
20 CHAIRMAN OLSEN: Per party?

21  
22 MR. CRATTY: Per two people. No more than two people can  
23 take one elk at a time.

24  
25 CHAIRMAN OLSEN: I guess that makes sense to me. How  
26 it's going to be policed is another matter, but that I don't  
27 believe that's our concern, but I think it should be a part of  
28 our concern when we discuss it too.

29  
30 MR. CRATTY: It's just two people can't handle two elk  
31 one day. Could only handle one elk per two persons. That's the  
32 way.....

33  
34 CHAIRMAN OLSEN: Certainly, I agree with that. There's  
35 no question about that. Are we -- is there any indifference here  
36 on the Council as to accepting no more than one elk down?  
37 Anybody in the audience?

38  
39 MR. CRATTY: For two people.

40  
41 CHAIRMAN OLSEN: For two people. I guess we're united on  
42 that. The permits issued, do we want to look at limit the number  
43 of permits issued, when they can be in the field? I have some  
44 reservations there but.....

45  
46 MR. CRATTY: Well, I think it's a problem we've got to  
47 look at because like Mike stated, the logging road's there and if  
48 like Rachel said that you are an Alaska resident after a year,  
49 then the loggers have the same opportunity to subsist as we do.  
50 And you've got 10 or 20 of them going over and getting all the

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1 elk and then shut down on us and there's no subsistence for us.  
2 That's what I'm looking at and that's the way I feel.

3

4 CHAIRMAN OLSEN: So what would be the resolution here as  
5 to how you would obtain a permit then in that case? I guess  
6 that'd be another question.

7

8 MR. WILLIS: Mr. Chair, this gets a little bit out of my  
9 area of expertise, but I thought maybe Rachel would bring it up  
10 earlier. But under the c&t determinations you can list  
11 individual communities rather than everyone living in an entire  
12 unit. Now, I don't know how the logging camps are established up  
13 there and so I'm just speaking theoretically. In Southeast  
14 Alaska in Region 1, the Council down there has on more than one  
15 occasion specified communities in an area and excluded logging  
16 camps which were mainly populated by people who came up from  
17 Washington and Oregon on a temporary basis, yet because they were  
18 living in the State they were considered State residents. That's  
19 a possibility here, I guess. I throw it out for discussion.  
20 We've already dealt with c&t and I guess that can be looked at  
21 again, but again, I don't know if the logging camps are  
22 integrated with the communities up there and it would be  
23 impossible to separate them. Maybe you could provide some input,  
24 you and Ivan on how they're established.

25

26 CHAIRMAN OLSEN: I don't know of many local people that  
27 are actually in the forest timber harvest. I know that they do  
28 participate in the stevedoring. I want to call on Craig here  
29 first.

30

31 MR. MISHLER: Craig Mishler again with Fish and Game. I  
32 just think that the problem you're facing right now with access  
33 to the herd by possibly non-traditional public communities is the  
34 very thing that you were trying to discuss about in the previous  
35 c&t finding. If you had designated specific communities, rather  
36 than the entire Game Management Unit 8 residents you wouldn't  
37 have this kind of quandary you're dividing yourselves in. And I  
38 think that it would be my recommendation that you reconsider the  
39 RFR. But I think that the present dilemma that you're looking at  
40 is that you're trying to create a subsistence opportunity for  
41 local residents and traditional hunting communities and you  
42 actually may be doing just the opposite, creating more  
43 opportunity for non-local people, or not long term residents, but  
44 people that come and go over maybe a period of a couple three  
45 years, move back to the State of Washington or wherever they came  
46 from and they're the ones who are going to possibly benefit the  
47 most from this. That's my comment.

48

49 CHAIRMAN OLSEN: Denise?

50

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1 DENISE: I just wanted to comment, Mark, you need to keep  
2 in mind those people that do log and live within day to day that  
3 are residents of Port Lions, that they tend to live within the  
4 logging community in company homes for short periods of time, but  
5 they still keep their homes in Port Lions and are part of our  
6 local people.

7  
8 CHAIRMAN OLSEN: It's difficult at best. Al?

9  
10 MR. CRATTY: It's lunch time.

11  
12 CHAIRMAN OLSEN: Al, is there a proposal that it's lunch  
13 time? And we must take that into consideration, I guess. Then  
14 I guess as much as I hate to in the middle of a proposal here to  
15 break for lunch, but I feel that -- so at this time I'd like to  
16 call for a lunch break. And what time should we reconvene here?  
17 Would you like 1:00 or 1:30?

18  
19 MR. SMITH: 1:30.

20  
21 CHAIRMAN OLSEN: I hear a 1:00 and a 1:30.

22  
23 MR. LUKIN: Whatever.

24  
25 MS. TRUMBLE: It doesn't matter to me.

26  
27 CHAIRMAN OLSEN: Okay. 1:15. Let's split the  
28 difference.

29  
30 (Off record)

31  
32 (On record)

33  
34 CHAIRMAN OLSEN: If you would, please. Looking back to  
35 where we left off, I guess we would be trying to continue where  
36 we left off here a bit on the middle of this proposal here on the  
37 elk season for Afognak. We had agreed on two issues and now I'm  
38 trying to get a consensus on another issue here, which is to  
39 limit the number of permits issued and when they can be in the  
40 field. I would like to leave that open as a discussion right  
41 now. Yes?

42  
43 MR. WILLIS: Mr. Chair, Larry Van Daele had a suggestion  
44 when we broke for lunch that I'd like for him to present  
45 concerning a way that we might deal with the issue of access and  
46 whether or not the number of permits needs to be limited.

47  
48 CHAIRMAN OLSEN: Certainly love to hear it. I know that  
49 there was some discussion here over lunch time as to our RFR and  
50 I think it will be brought up here again before the meeting does



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1 adjourn. Exactly when we're not sure but, certainly, you bet.

2

3 MR. VAN DAELE: Just an an idea, I think that as you know  
4 you're opening up a Pandora's box with the idea of one village  
5 versus another and how long someone's been a resident and so  
6 forth. One of the ways we've dealt with that through the Board  
7 of Game is by restricting the access. In other words, saying  
8 boats only for this hunt, and not worry about where the road  
9 system is, who can use the roads, et cetera. And that might be  
10 a way to limit the people that go out to these areas and limit  
11 the areas that are accessed.

12

13 MS. TRUMBLE: Mr. Chair, one of the suggestions this  
14 morning that was brought up was, you know, how do you determine  
15 I guess not only the amount, but how does it get distributed.  
16 And Greg maybe can help me on this one, but recently with caribou  
17 in our region we took each community and put a set amount of  
18 caribou for each community. We set up a committee from one  
19 member from the Village Council, one from the City Council and  
20 one from the Village Corporation. And this committee determined  
21 not only the eligibility criteria. Then first they just drew out  
22 their guidelines on eligibility and then went through the process  
23 of determining who was eligible and eliminated those and then  
24 from there went to a drawing system of first allowing the elders  
25 that had submitted application to automatic -- gave them an  
26 automatic permit.

27

28 The second portion of it was a drawing of what the  
29 remainder of the permit applications that were received. And  
30 just from my sense from the communities this went very well. We  
31 talked about, you know, next year if we're able to do this again,  
32 to maybe allow one for a designated hunter, but also that the  
33 people that drew this year will not be eligible next year. So it  
34 kind of closes the door for some, but it opens the door for ones  
35 that were not able to participate. And I thought overall in our  
36 region it worked very well.

37

38 CHAIRMAN OLSEN: Yes. Thank you, Della. As I look at  
39 this it could work very well for us if we had the Afognak Island  
40 to deal with and we only had basically one herd to deal with,  
41 then it makes it more sensitive by a long shot. But we have  
42 certainly given it much thought over the last couple of years and  
43 still we're just where we are at today. So, at any rate, we are  
44 still trying to work on a solution with everybody. See where it  
45 takes us. I guess one of the first questions to ask is what  
46 would be a sustained yield on a herd of approximately 180 that we  
47 have in this area? What will be the allowable harvest under the  
48 guidelines presently?

49

50 MR. VAN DAELE: Historically our maximum allowable

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1 harvest on elk is 15 percent of the population. And the  
2 estimated herd size I believe is 120. So we're looking at around  
3 20 elk, in that ballpark maximum. That's assuming you have easy  
4 winters, good reproduction and so forth.

5

6 CHAIRMAN OLSEN: So you try and divide that amongst the  
7 12 communities. It makes it a little more difficult.

8

9 MR. WILLIS: Mr. Chair, I might point out that a part of  
10 this proposal is to limit the permits to one per household. I  
11 don't think that was mentioned earlier. What was we were trying to  
12 do was to avoid having to have a set number of permits and try to  
13 design a way, as Della said, to distribute them within a  
14 community. We felt like because of the accessibility in this  
15 area, that we could use unlimited permits within a community.  
16 Anybody within a community could get one, but only one per  
17 household. And that was the thrust. If the Council feels that  
18 there needs to be greater restrictions than that, certainly we  
19 can go with that, but that was the initial thought, was we don't  
20 need to keep anyone from hunting, but we do need to limit it to  
21 one person per household.

22

23 CHAIRMAN OLSEN: I guess my thoughts are as we continue  
24 down this area, we have given it some good thought and looked at  
25 every consideration. I don't know, Tom, would you be the one,  
26 I'm trying to look for some help. Does what we have just  
27 discussed seem to be in line with our authority I guess?

28

29 MR. BOYD: Yeah.

30

31 CHAIRMAN OLSEN: Or recommendation?

32

33 MR. BOYD: I mean you're well within the parameters of  
34 Section 805.

35

36 MR. TRUMBLE: Mr. Chair, is there -- we have an ADF&G  
37 comments, do not support. Has anybody covered what their  
38 reasoning for this is, or what the rationale is or any ideas?

39

40 CHAIRMAN OLSEN: I believe it's found under ADF&G RFR.

41

42 MS. TRUMBLE: Under 42?

43

44 MR. VAN DAELE: For the proposed hunt? Our concerns, and  
45 I'm speaking off the cuff here because I haven't been in the  
46 whole bit, but our concerns are that we have a very small herd in  
47 a limited area and with the potential of a large number of  
48 hunters going into that small area. Those are our main concerns  
49 with this particular hunt.

50

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1 Our secondary concerns are as I voiced earlier this year  
2 -- this morning, it's a patchwork of land ownership up there.  
3 It's very difficult to determine where those lines are on the  
4 ground. Consequently it will be difficult for the hunters to  
5 understand exactly where they're at and they may inadvertently  
6 violate. As far as the biology is concerned, with a September 1  
7 opening you are potentially hunting the elk when they're in the  
8 rut. Because this is a relatively inaccessible area, it's  
9 probably not going to jeopardize the rut up there. It may be  
10 some concern for meat quality for some people. Of course in  
11 other parts of the State they don't want to have subsistence hunt  
12 during the rut for moose. I don't believe elk meat is as  
13 affected as moose meat is, definitely not as affected as caribou  
14 meat is. But it's something that needs to be considered. So  
15 those were the main objections that we had to that.

16  
17 CHAIRMAN OLSEN: Why don't you just give us the southeast  
18 section then?

19  
20 MR. VAN DAELE: That's not mine. That's Native land. If  
21 I may, Mr. Chairman, while I have the floor, during lunch I went  
22 back to the office and I pulled up our most recent harvest data  
23 for the various parts of Afognak Island and I'll present this to  
24 you. Just so that we all get back into the realm of reality  
25 here, instead of talking fuzzy theoretical stuff, in 1996-97,  
26 which was the last time we have solid numbers, there were a total  
27 of 119 hunters in the northern part of Afognak that registered to  
28 hunt. Including the section we're talking about now. Of that  
29 119, 29 -- I'll give this to you so you can have it, but 29 of  
30 those were Kodiak City residents, 14 of those were Afognak Island  
31 residents, and three were from other Kodiak Island Villages. And  
32 then we had 58 from outside the unit and 15 that were non-  
33 residents. But that should give you some idea of the numbers of  
34 people that we've talked about in the past.

35  
36 CHAIRMAN OLSEN: Is that 119, is that total hunters for  
37 the drawings and all?

38  
39 MR. VAN DAELE: That's for the registration hunt, which  
40 includes the northern part, the northwestern part of Afognak,  
41 which is what we're talking about for this particular proposal.  
42 And that paper that I gave you also includes the information on  
43 the drawings and the other registration hunts on Afognak. I  
44 didn't include Raspberry, but just the Afognak stuff is all  
45 there. So that's yours to do with as you like.

46  
47 And I also have, you know, if we want to get into the  
48 drawing stuff, I have the percentage success for drawings.  
49 Roughly you're looking at about a 20 percent success rate for  
50 someone -- anybody in Alaska who puts in for the drawings. So

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1 you could put that in the little packet of information. Those  
2 are the drawing elk, those are the various elk, here's your  
3 percentages. Just so that we're talking real numbers instead of  
4 speculating so much.

5  
6 CHAIRMAN OLSEN: Are these the only ones that are on  
7 Afognak?

8  
9 MR. VAN DAELE: Yes, sir. I think there are three or  
10 four of them there. But those are the southeastern park or  
11 southwest -- that's the southern part of the Island for the  
12 drawing.

13  
14 CHAIRMAN OLSEN: I'm just trying to figure out the  
15 difference, what DG and DE is?

16  
17 MR. VAN DAELE: Drawing goat, drawing elk, drawing bear,  
18 you know, that's for the whole State. But as I say, for the  
19 purposes of this discussion the registration area is what we're  
20 dealing with because it's not a drawing area up there in the  
21 Refuge.

22  
23 CHAIRMAN OLSEN: Well, certainly I understand that, but  
24 I am trying to think of if they don't have to get a drawing and  
25 it might be better for them to go in this area, I'm looking at  
26 the total number of people that are going out to try to hunt elk  
27 on Afognak so we have some kind of idea. And as I look under the  
28 DEs here, one, two, three, four, five, six, seven, eight, nine,  
29 you know, I'm trying to guesstimate here. 3,400 applicants.

30  
31 MR. VAN DAELE: Including Raspberry Island, that's  
32 correct.

33  
34 CHAIRMAN OLSEN: So kind of gives you an idea there's a  
35 lot of people interested in elk. So what's the wish of the  
36 Council here at this time? We are looking at the whole scenario  
37 as we have discussed amongst ourselves on the possibility of  
38 looking at that Request for Reconsideration. I don't know how  
39 far we want to get into this. If we're going to take a different  
40 direction.

41  
42 MR. LUKIN: Personally, I would like to see something  
43 happen by this fall. I mean this has been on the books here and  
44 on the table ever since I've been involved on this Board and --  
45 or this Council and a year or two before. You know, I don't like  
46 to waste any time on things I do for myself. I kind of like to  
47 be productive. And things are tabled so long like this, to me  
48 it's wasting somebody's time and somebody's dollar. You know,  
49 why have it on the table if we're going to keep procrastinating  
50 and putting it off and off. It's making me lose interest in this

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1 Council. On the other hand I understand that our people need  
2 representation. But, you know, let's work a solution out. I  
3 understand we can't over-harvest these animals and so we need to  
4 protect them. And I feel we need to get something done here.  
5 It's been long enough.

6  
7 CHAIRMAN OLSEN: I guess my question here to the Council  
8 is right now we were going through these issues one at a time to  
9 try to feel which way we're pulling. On the other hand I know  
10 that we do have other resolutions on our mind. Would we like to  
11 at this time address the RFR which we just dealt with, or shall  
12 we continue on this item by item issue as we have?

13  
14 MR. CRATTY: I'm for going ahead and address it now and  
15 let's get it over with.

16  
17 CHAIRMAN OLSEN: Because I feel that once we come again  
18 readdressing this RFR, how these might change. You know, I'm  
19 trying to save time I guess is what I'm.....

20  
21 MR. CRATTY: I think, Mark, we've got, you know, pretty  
22 good ideas of what we want to do. It's just the fact of the c&t,  
23 or designating the areas, the villages or whatever that are going  
24 to get the elk hunt. That's the only problem I see. Otherwise  
25 we're getting good advice from two people there, you know. It's  
26 only 20 elk, we've got that to work on. No more than two people,  
27 one elk, at one time. We've just go to figure out the areas that  
28 are going to be able to hunt them.

29  
30 CHAIRMAN OLSEN: The people from which area?

31  
32 MR. CRATTY: The people that were left out. I mean to me  
33 it isn't right that just Ouzinkie and Port Lions are getting the  
34 subsistence hunt. I think Old Harbor and the rest of the  
35 villages on the Island should have the opportunity also.

36  
37 CHAIRMAN OLSEN: Okay. I'm getting a consensus here that  
38 we are basically going to scratch and go back to route one, what  
39 we did on.....

40  
41 MR. CRATTY: Well, basically we've got everything pretty  
42 much else we want to know. We've got good advice from these  
43 people and we've talked about the solutions and we've just got  
44 to.....

45  
46 CHAIRMAN OLSEN: I might need some help here as we are  
47 looking at amending our proposal.

48  
49 MR. CRATTY: On the RF?

50

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1 CHAIRMAN OLSEN: Yes.

2  
3 MR. WILLIS: Mr. Chair?

4  
5 CHAIRMAN OLSEN: Yes, Robert.

6  
7 MR. WILLIS: To respond to what Al said, the idea was not  
8 to go back and eliminate the other communities except Ouzinkie  
9 and Port Lions. What I was pointing out earlier with the c&t  
10 issue was that in southeast we had some situations where logging  
11 camps had been established and they'd been there for one or two  
12 or three years. There was no community around those areas, it  
13 was just the logging camps. The Southeast Council then rather  
14 than designating all of Unit 4, they would name every community  
15 in Unit 4. By doing so they eliminated these logging camps.

16  
17 MS. TRUMBLE: Yeah.

18  
19 MR. WILLIS: And I thought that out. And also adding, I  
20 don't know if that's the situation here. And Larry tells me that  
21 some of these camps have been there for 12 or 15 years and may be  
22 integrated with the community, so it may not be possible to do  
23 that. But that's what was done in southeast. Because the camps  
24 could be identified as separate areas. So, Al, what you'd do  
25 would be to name every community in the unit, rather than just  
26 saying all residents of Unit 8. Essentially all the communities  
27 then have c&t, but you've eliminated these non-community groups  
28 of people who are temporary residents.

29  
30 Larry's suggestion of possibly using the boat access  
31 keeps you from having to go back through that. You know, that  
32 effectively makes it illegal for a logger to use his vehicle to  
33 get to this area. He can still hunt by boat. They can still  
34 hunt, but they're put on the same footing as everybody else is.

35  
36 MR. CRATTY: They couldn't use the excuse they took a  
37 boat to Danger Bay and then they drove the road system.

38  
39 MS. MASON: Mr. Chairman, I just wanted to mention that  
40 you would have to be careful using that approach because there  
41 are some remote rural residents that are not a member of any of  
42 the communities that you're going to name. I'm thinking of  
43 people that might live in remote places on Afognak Island. And  
44 then you also need to consider the Russian Old Believer community  
45 of Aleneva, whether you're going to name that as one of the  
46 communities that do have c&t.

47  
48 CHAIRMAN OLSEN: I guess to give you an idea of the train  
49 of thought that we had looked at as kind of mirroring what had  
50 transpired on the Southern Alaska caribou herd, was to identify

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1 those communities which are eligible and then to allow the  
2 permits, so many permits to each identified community and to look  
3 at things that they're only eligible once every other year, if  
4 they were selected the year before. Try to come to some  
5 consensus where we're on equal ground and still have meat, but  
6 yet preserving the herd to an extent. It's difficult at best.  
7 But that's the train of -- that's what we are looking at now for  
8 reconsideration. So, Al, I heard you mention the best way to go  
9 about this, since we've already had it in the motion this  
10 morning, is there a proper process? Do we have to undo what  
11 we've done already first? What -- and I'm trying to follow the  
12 Rules of Order on making that happen. I believe that -- I don't  
13 know once we've already voted. Can somebody help me?

14  
15 MS. MASON: Mr. Chairman, I can't pretend that I know  
16 Robert's Rules of Order on this, but I did witness this happening  
17 at the Southeast Council because they talked about a motion after  
18 it had been done. And all that was done was that somebody  
19 introduced -- I don't think they even brought in a motion to  
20 reconsider, but a new motion was brought up. The Council agreed  
21 to reconsider their action of the previous meeting, or a few  
22 hours before, and then they just made a new motion and acted on  
23 that.

24  
25 CHAIRMAN OLSEN: I do realize that when we are still in  
26 discussion the motion made here and the seconder can withdraw,  
27 but I don't know what the process is once we have already voted  
28 it in.

29  
30 MS. MASON: I think you have to reconsider what you did.

31  
32 MS. TRUMBLE: Can we retract the motion and then just  
33 take new action?

34  
35 MS. MASON: Well, you've already voted. So there's more  
36 than just a motion being retracted. Take a new action would --  
37 maybe Tom can show you.....

38  
39 MR. BOYD: Yeah, again, I'm not an expert on Robert's  
40 Rules either, but what I've witnessed is that an individual  
41 Council member can make a motion to reconsider the previous  
42 motion. And if everybody wants to do that by vote, then you can  
43 introduce a new motion on the table to reconsider that c&t  
44 proposal.

45  
46 CHAIRMAN OLSEN: Certainly. I was just looking at what's  
47 acceptable. Is it then the Council's wish to reconsider? If so  
48 I would like to move to reconsider. I believe at this time if we  
49 just take the simple action of unanimously agreeing to reconsider  
50 it, I think that would work. Is that agreeable? Then we would

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1 like to reconsider that motion?

2

3 MR. EDENSHAW: Mr. Chair, I just want to clarify some  
4 things here this afternoon. Initially, this morning we -- the  
5 RFR is totally different. It's not an issue. I think it was  
6 Melvin or one of them made a motion to reject the RFR. That's  
7 done with. Then we moved on to the proposal, which was the  
8 hunting season from September 1st through the 25th. And so on  
9 Proposal 42 what we are discussing was the hunting season and  
10 then we got into the discussion regarding access, concerns about  
11 the herd size, and the last thing. So I want to keep the RFR out  
12 of this because that's totally separate.

13

14 CHAIRMAN OLSEN: Clear of. Okay.

15

16 MR. EDENSHAW: The motion was made and it was passed and  
17 it was passed unanimously. So in Proposal 42 the discussion has  
18 been centered around permits. And then possibly revisiting the  
19 c&t which was passed by the Board in May which gave a positive  
20 c&t to all residents of Unit 8. And, Al, that's just not  
21 Ouzinkie and Port Lions, it was all residents of Unit 8. So if  
22 the Council wishes to reconsider the positive c&t and be more  
23 inclusive by naming residents of Ouzinkie, Port Lions, Karluk,  
24 Old Harbor, Larsen Bay and Kodiak, they may do so. And that's  
25 what I'm hearing from the Council, was that they wanted to have  
26 the elk c&t more inclusive, listing by communities, whereas the  
27 present c&t states all residents of Unit 8.

28

29 And in terms of permits, maybe this gentleman here or  
30 else if Robert's here, I believe the Refuge here would be -- or  
31 Robert can clarify that for me, I believe the Refuge would be in  
32 charge of distributing permits. Is that correct, Robert?

33

34 MR. WILLIS: I'm sure they would. We would permit the  
35 permits in Anchorage and mail those permits to the Refuge to be  
36 distributed to the communities.

37

38 MR. EDENSHAW: Okay. So there is the permit process. In  
39 terms of the Council, if they want to have a limiting factor on  
40 the number of permits going to those communities, if they go back  
41 and revisit the c&t and designate communities in the c&t, then  
42 they'd work on the permits there. So I just wanted to clarify  
43 where we're at. And from the notes I've taken this morning and  
44 where we're at in our discussion presently.

45

46 CHAIRMAN OLSEN: Certainly our motion that we had this  
47 morning was rejecting the RFR, which we did.

48

49 MR. CRATTY: So what he's saying, we don't have to bring  
50 that back up? We have the c&t that.....



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1 MR. EDENSHAW: The c&t has already been -- that was  
2 passed last year when the Board met in May -- or in April. They  
3 provided a positive c&t for all residents of Unit 8. And I think  
4 what Al is getting confused about, the initial Staff analysis  
5 that Rachel did identified only Ouzinkie and Port Lions. But  
6 based on last year's meeting here in Kodiak, from testimony from  
7 Ivar Malutin and other comments I can't recall from this day,  
8 based on those comments, you know, it wound its way through the  
9 Staff Committee and when the Board met last April they provided  
10 the positive c&t for all residents of Unit 8.

11  
12 MR. CRATTY: The only reason we were thinking, Cliff, we  
13 had to go back to that is to -- well, I guess we don't have to if  
14 we've already got the -- the only reason we were thinking we'd  
15 have to go back to the RFR was because for the fact we were going  
16 to change it. But we don't have to because you've already  
17 said.....

18  
19 MR. EDENSHAW: No. The RFR was submitted by the State  
20 and they were challenging the Board's decision. And last April  
21 the Board passed a positive c&t. And so when Sue and some of the  
22 the other comments from the Staff, they were just soliciting more  
23 information from the Council to give the initial c&t that was  
24 given by the Board more backbone, and when the Board meets in May  
25 of this year they would address the RFR. So that was the  
26 contention of the RFR. And regarding the c&t that has already  
27 been given to all residents of Unit 8, the Council may do so,  
28 they can revisit that and designate by communities, from what  
29 I've heard from the Council here this morning, they may do so.  
30 But the RFR doesn't have anything to do with the c&t. If the  
31 Council wishes to go back and revisit the c&t, they may do so but  
32 you've already addressed the RFR.

33  
34 MS. TRUMBLE: So you just make a motion to amend the c&t?

35  
36 MR. EDENSHAW: Pardon?

37  
38 MS. TRUMBLE: You'd make a motion to amend the c&t or  
39 readdress the c&t.

40  
41 MR. EDENSHAW: Yes.

42  
43 MS. TRUMBLE: Amend it might be a better word.

44  
45 MR. EDENSHAW: Yes.

46  
47 CHAIRMAN OLSEN: Thank you, Cliff. So who would like to  
48 move in that direction? You have something?

49  
50 MS. DETWILER: I was just going to say, as long as you

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1 make clear what your intent it to the Board, I don't think you  
2 have to be too much of a stickler on parliamentary procedure.  
3 You know, you've already taken an action to reject the State's  
4 RFR. And I think it can be made clear to the Board that after  
5 further discussion, when you got to Proposal 42, you decided you  
6 wanted to revisit the existing c&t and at this point you  
7 certainly can do that. And I think it'll be pretty clear that if  
8 you want to list the communities, you know, that makes sense.

9  
10 CHAIRMAN OLSEN: I guess the next step we take is to  
11 identify the communities that should be allowed the c&t. I don't  
12 hear nothing. I say we are to the point now to identify the  
13 communities to be involved in the c&t, as we in the past felt  
14 that there was more than just Ouzinkie and Port Lions.

15  
16 MR. LUKIN: Mark, I think I -- I don't know if it will  
17 help any, but, you know, we've got just a hand full of permits  
18 that we're dealing with here. And I feel that the communities  
19 should be entitled to be involved with these, but on the other  
20 hand if they choose not to use the permits that year, they should  
21 turn them back into the system to where another community would  
22 use them.

23  
24 CHAIRMAN OLSEN: Certainly, I agree, but I think we're  
25 first trying to establish what communities we feel are entitled  
26 to c&t. And then the permit process I guess can follow  
27 accordingly. I mean if we name 10 communities, then we've got to  
28 divide the permits 10 ways. If we say five communities, we  
29 divide them five ways.

30  
31 MR. WILLIS: Again, Mr. Chair, we're talking about an  
32 unlimited number of permits here.

33  
34 CHAIRMAN OLSEN: Correct.

35  
36 MR. WILLIS: There will be no restriction on how many  
37 people in a community could get a permit. Only it would be one  
38 per household.

39  
40 MR. HAWKES: Mr. Chairman, if I may?

41  
42 CHAIRMAN OLSEN: Yes.

43  
44 MR. HAWKES: Looking at the Fish and Game numbers from  
45 last year when there was on the registration hunt where anybody  
46 that wants to can go register and go hunt, there were only 46  
47 hunters from Unit 8. That's the base we're looking at here. And  
48 the success rate was only nine percent. You give them 10, that's  
49 less than five elk that were harvested. But anybody that wanted  
50 to could go up there and hunt. So I don't see that we have a big

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1 problem here that we're worried about.

2

3 CHAIRMAN OLSEN: So we have a bunch of unborn fear.

4

5 MR. HAWKES: You might have even if the number of hunters  
6 doubled, they're only going to kill 10 elk. So I don't see it  
7 being a major problem with what we're talking about here.

8

9 CHAIRMAN OLSEN: In other words, it's kind of moot as  
10 to.....

11

12 MR. HAWKES: If we can monitor the harvest, make it where  
13 they have to report kill as the hunt is going on within say  
14 either call the office or whatever, and if we reach critical mass  
15 on the kill, then we shut the hunt off. But I don't think --  
16 looking at the number of hunters and stuff, I can't see where  
17 it's going to be a problem.

18

19 MR. CRATTY: Mr. Chair?

20

21 CHAIRMAN OLSEN: Yes.

22

23 MR. CRATTY: Yeah, I'd like to say the rest of the  
24 villages on the Island should be included, but Rachel kind of put  
25 a scare into me when she said that -- something about the logging  
26 villages would have to be included because.....

27

28 MS. MASON: They wouldn't have to be, but you can  
29 consider whether you want them.

30

31 MR. CRATTY: Well, that's my feeling; I'd like to see the  
32 rest of the villages included in this and I'd like to hear  
33 whatever else anybody else has got to say.

34

35 MR. LUKIN: Well, I agree with you that villages should  
36 be able to participate in -- all the villages should be able to  
37 participate in the hunt, or should at least have a chance to.

38

39 CHAIRMAN OLSEN: Name the villages, please?

40

41 MR. CRATTY: Old Harbor, Akhiok, Larsen Bay, Karluk, Port  
42 Lions, Ouzinkie.

43

44 CHAIRMAN OLSEN: Kodiak.

45

46 MR. CRATTY: Kodiak isn't a village.

47

48 CHAIRMAN OLSEN: That means at this time we are not  
49 taking into consideration the Russian village and Danger Bay?

50

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1 MR. WILLIS: You may choose to name those communities if  
2 you want to include them in the c&t.

3  
4 MR. CRATTY: I think they subsist when they want to  
5 anyway.

6  
7 CHAIRMAN OLSEN: That's true, too.

8  
9 MS. TREMBLE: I have a question. Let's say you go  
10 through this whole process and then this goes to the main Board  
11 and the main Board says well there's no c&t documented for these  
12 other communities, so you're back to square one?

13  
14 MR. CRATTY: They've already done that.

15  
16 MS. TREMBLE: Oh, they've already done that, okay. Well,  
17 these Danger Bay and these ones.

18  
19 MR. CRATTY: There isn't for them.

20  
21 MS. TREMBLE: Yeah. So we just leave them out?

22  
23 MR. CRATTY: No, he explained to you that the whole Unit  
24 8 was customary and traditional.

25  
26 MS. TREMBLE: Oh, so we're including these?

27  
28 MR. CRATTY: Yeah.

29  
30 MR. WILLIS: Correct.

31  
32 MR. LUKIN: Mark, I don't believe that once the logging  
33 is a done deal, I don't believe Port Lions or Ouzinkie or Old  
34 Harbor or villages like that are going to up and move out. See  
35 this is what I see as a problem is out in the logging camps, once  
36 that logging is wrapped up, the money part of it, they're gone,  
37 they're not there anymore.

38  
39 MR. CRATTY: Good point.

40  
41 CHAIRMAN OLSEN: Which is true and the way things are  
42 going it might not be too long. Okay, then I guess I'd like to  
43 hear like you mentioned there Ivan, I'd like to hear basically  
44 why you feel then that the others, we didn't include the others?  
45 Because I think that would be the next question as to why were  
46 they not named? Certainly I feel those working in the logging  
47 camp, most of them are out of state workers coming that do not  
48 plan to stay any longer than the timber harvest. But yet there  
49 are others, locals that work in the camps, but I guess they just  
50 work in the camps there, original home would be Port Lions then,

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1 so -- any other comments on why we chose these villages and not  
2 the others?

3

4 MR. CRATTY: The other ones are camps.

5

6 MR. MISHLER: If I could make a comment, that if you look  
7 at your eight factors again for customary and traditional use,  
8 the very first one is a long-term consistent pattern of use  
9 excluding interruptions beyond the control of the community or  
10 area. And these are relatively new communities that you're  
11 talking about, Aleneva and the logging camps, I think have only  
12 been there less than 10 years or 15 years at the most whereas  
13 these other communities go back to ages and ages, many of them,  
14 most of them.

15

16 MS. TREMBLE: Do we have copies of that.

17

18 MR. CRATTY: So I got a question for Craig. Craig in  
19 this new community, if we left them out that would be a good  
20 reason from what you're saying there.

21

22 CHAIRMAN OLSEN: They don't show a history.....

23

24 MR. MISHLER: It's in the eight factors; it's the very  
25 first factor.

26

27 MR. MIKE H: How are you going to handle the folks that  
28 live outside the city proper of Kodiak, out on the road system,  
29 just call it the Kodiak road system or.....

30

31 CHAIRMAN OLSEN: I guess that's how we would, Kodiak road  
32 system? I just assume that when, you know, when I say Kodiak, I  
33 mean.....

34

35 MR. VANDAELE: Just playing devil's advocate, are there  
36 still people at Port Williams, Blue Fox, Seal Bay? There's a lot  
37 of small groups that you're leaving out by doing this, people who  
38 probably are more dependent on those elk than.....

39

40 MR. CRATTY: Than we are. I feel that they should be --  
41 but how do you define them? How would you, in words, define the  
42 people?

43

44 MR. VANDAELE: In my opinion, you guy's are really  
45 getting yourselves into a (indiscernible - away from mic), that's  
46 my own personal opinion, not professional. I think that there  
47 might be other ways to do it more elegantly than trying to  
48 shuffle cards like this. You're just setting yourselves up to  
49 have folks who aren't represented here today come back down on  
50 you and say, why not me?

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1 CHAIRMAN OLSEN: Well, here again, I guess I would go  
2 back to the first of the criteria, long-term.

3  
4 MR. MISHLER: And the fact that these factors for  
5 customary and traditional are based on community use and not  
6 individual use.

7  
8 MS. TREMBLE: See, that's kind of my question because in  
9 going through this, the two communities that have shown strong  
10 customary and traditional use were Port Lions and Ouzinkie. It's  
11 like we're going around in a circle here.

12  
13 MR. CRATTY: No, we're trying to determine which  
14 communities.....

15  
16 MS. TREMBLE: Yeah. But see right here.

17  
18 MR. CRATTY: Yeah. We through that.....

19  
20 MS. TREMBLE: But that's why they got that determination.

21  
22 MR. WILLIS: One more thing I'll add to this discussion.  
23 This is not a perfect solution to the situation. There is no  
24 perfect solution to the situation. If you want to try to exclude  
25 the logging camps because they're not permanent residents, then  
26 you're going to have to find a way to do that. The way it was  
27 done in Southeast was by naming communities. On the other hand,  
28 Southeast does not have these little scattered outlying groups of  
29 people that you find like in Blue Fox and other places that you  
30 find in Kodiak. So it was not as much of a factor there. If you  
31 try to include all of the outlying people since you can't name  
32 them individually, then you also have to include the logging  
33 camps and say all of Unit 8, which is what we have now.

34  
35 The other solution, which Larry mentioned was to attack  
36 it by access in order to eliminate the logging camp's advantage  
37 of having a road system to reach these elk. Those are the things  
38 you have to consider in trying to come up with a solution here.

39  
40 MR. BOYD: And I don't want to add too much confusion to  
41 this mess but I'll give it my best shot. Another approach if  
42 you're looking for language, and again, I'm not trying to put  
43 language in your mouth you'll have to decide how you want to  
44 approach this. But you could say, all residents of Unit 8 except  
45 and then list the communities you would like to exclude. That's  
46 been done, too, in regulatory language so that's another option  
47 to consider. In other words if you want -- I'm going to give you  
48 an example and I'm not suggesting or recommending this, but all  
49 residents of Unit 8 except residents of Danger Bay. Again, I'm  
50 not suggesting that, I'm just using it as an illustration -- or

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1 residents of Danger Bay and whatever.

2

3 CHAIRMAN OLSEN: Which puts the heat right back on us.

4

5 MR. BOYD: Yes, but if you're trying to narrow it, that's  
6 what I.....

7

8 CHAIRMAN OLSEN: Sure.

9

10 MR. BOYD: .....sense you're trying to do.

11

12 CHAIRMAN OLSEN: Yeah, absolutely.

13

14 MR. BOYD: Beyond just the full scope of things. That's  
15 an option for you to consider and it's not an easy option.

16

17 CHAIRMAN OLSEN: Al.

18

19 MR. CRATTY: Why don't we.....

20

21 MR. WILLIS: That's why they pay you guys the big bucks  
22 to make these decisions.

23

24 MR. CRATTY: .....just go like he said, like the old c&t  
25 said all residents of Unit 8, boats only.

26

27 CHAIRMAN OLSEN: I guess we could do that and revisit  
28 this if we find better ways to approach it in the future, give it  
29 a chance to at least work first.

30

31 MR. CRATTY: Boats only and then.....

32

33 CHAIRMAN OLSEN: We might find we don't need any other  
34 regulation, we might now, I don't know. We might find we need  
35 tons more, I don't know.

36

37 MR. CRATTY: .....and these other solutions we put in  
38 there.

39

40 CHAIRMAN OLSEN: I hear it.

41

42 MR. MISHLER: You should keep in mind too that the  
43 community, that Aleneva has a large fleet of boats. They  
44 probably have the easiest access.

45

46 CHAIRMAN OLSEN: Boy isn't this typical.

47

48 MR. CRATTY: To be honest with you I think they got the  
49 best subsistence elk right where they are.

50

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1 MR. LUKIN: That's right. That's what I was thinking  
2 here. Unless you guys are policing or patrolling these guys --  
3 have people that live out there, I mean raiding their freezers,  
4 who's to say their freezers aren't full of elk year-round.

5  
6 MR. CRATTY: They got four-wheel trailer trails all over  
7 the place.

8  
9 CHAIRMAN OLSEN: I don't think they can read regulation,  
10 English. I'm inclined to look at the boat access only just as a  
11 way to get the momentum going on this and see what fine tuning it  
12 might need in the coming time ahead of us. I think we've covered  
13 most of the basic points.

14  
15 So do I hear anybody want to speak up on behalf of adding  
16 that language in?

17  
18 MR. CRATTY: I did.

19  
20 CHAIRMAN OLSEN: By boat only?

21  
22 MR. CRATTY: Yes. And then with the other possible  
23 solution, limiting the number of elk down at one time, one elk  
24 down per two people.

25  
26 CHAIRMAN OLSEN: I guess that's the line we've been on  
27 all morning unless -- I don't know. But I think we kind of  
28 addressed all the important factors we could think of to try to  
29 come up with an honest solution. So how do we entertain that  
30 into this then?

31  
32 MS. MASON: Mr. Chair.

33  
34 CHAIRMAN OLSEN: Yes.

35  
36 MS. MASON: If I could just suggest that the c&t doesn't  
37 need to be revisited at all. So this would just be part of your  
38 action on Proposal 42, would be to add boat access to it. And so  
39 it could be as a modification or whatever to that.

40  
41 MR. WILLIS: Mr. Chair.

42  
43 CHAIRMAN OLSEN: Yes.

44  
45 MR. WILLIS: Having happily gained the information from  
46 the Council and other Staff and people present that I had hoped  
47 to get at this meeting, I will modify our Staff recommendation  
48 somewhat if you like and give you some language to consider for  
49 your proposal. I would recommend a hunt opening September 1  
50 through September 25 for one elk per household, access is limited



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1 to boats only. Only one elk may be allowed in possession for  
2 each to hunters in a party. And the harvest will be by Federal  
3 registration permit only. And we may change that around,  
4 reorganize it a little bit to, you know, to write it out, but  
5 that's what I would propose at this time and I think that will  
6 cover everybody's concerns.

7  
8 CHAIRMAN OLSEN: I think we've been able to scratch  
9 designated hunter on this, too, since it's such a small.....

10  
11 MR. WILLIS: Right. By simply not specifying designated  
12 hunter, it doesn't exist.

13  
14 CHAIRMAN OLSEN: Thank you. That sounds exactly where  
15 we've funneled down to at this point. Is there any other  
16 question or concern here from the Council that might disagree  
17 with what we've got on the table before us? Hearing none, do we  
18 need this in motion form?

19  
20 MR. WILLIS: I would suggest it, yes.

21  
22 MR. CRATTY: I make the motion to accept.

23  
24 MR. LUKIN: I second.

25  
26 CHAIRMAN OLSEN: To amend.

27  
28 MR. CRATTY: Yes. I made a motion to accept the amended  
29 proposal.

30  
31 CHAIRMAN OLSEN: Okay.

32  
33 MR. WILLIS: You can call it the Staff recommendation if  
34 you'd like.

35  
36 MR. CRATTY: Yes, the Staff recommendation.

37  
38 MR. WILLIS: And I'll put it in writing in a little  
39 better form than what we have here.

40  
41 CHAIRMAN OLSEN: Okay. We have a motion here to accept  
42 Staff recommendation as discussed. Do I hear a second to that?

43  
44 MR. LUKIN: Second.

45  
46 CHAIRMAN OLSEN: Moved and seconded.

47  
48 MR. CRATTY: Call the question.

49  
50 CHAIRMAN OLSEN: Question's been called. All those in

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1 favor aye.

2

3 IN UNISON: Aye.

4

5 CHAIRMAN OLSEN: Those opposed by the same sign.

6

7 (No opposing responses)

8

9 CHAIRMAN OLSEN: Thank you, gentleman for your expertise.

10

11 MR. CRATTY: Thanks for your help, that was really

12 simple.

13

14 CHAIRMAN OLSEN: Okay.

15

16 MR. CRATTY: We just didn't realize it.

17

18 CHAIRMAN OLSEN: Okay, does that pretty much cover Item

19 7 then, Cliff, I believe, as I see it?

20

21 MR. EDENSHAW: Yes, Mr. Chair.

22

23 CHAIRMAN OLSEN: So it's lunch time.

24

25 MR. EDENSHAW: Oh, no, excuse me, that was.....

26

27 MS. MASON: We have two more proposals.

28

29 MR. EDENSHAW: There's still two more proposals.

30

31 CHAIRMAN OLSEN: Oh, I'm sorry.

32

33 MR. EDENSHAW: We're still on proposals.

34

35 MR. EDENSHAW: We're on Proposal 34.

36

37 MS. MASON: If you want to just dispense with them that's

38 fine with me.

39

40 MR. VANDAELE: Mr. Chairman, can I do one more thing

41 before you get off Unit 8. Again, you asked some information

42 this morning.

43

44 CHAIRMAN OLSEN: Sure.

45

46 MR. VANDAELE: One thing I'd like to submit to the

47 record, this is our deer harvest tickets. There are, in fact,

48 six of them on there.

49

50 CHAIRMAN OLSEN: Okay.

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1 MR. VANDAELE: And I went through the files looking for  
2 information on the elk transplant itself. There are a bunch of  
3 records and letters back in the '30s and '40s, but this is the  
4 best synopsis of when the elk were put there and why they were  
5 put there, so you can have those, and that's all I have to say.  
6

7 CHAIRMAN OLSEN: Thank you. I guess I'll give them to  
8 Mr. Edenshaw here and maybe you can get copies of this for us  
9 because that information is very helpful to us. Thank you,  
10 Larry.  
11

12 Okay, then I believe that brings us up to Proposal 44 and  
13 it has to do with the Southern Alaska Peninsula Caribou Herd  
14 again.  
15

16 MS. MASON: Yes.  
17

18 CHAIRMAN OLSEN: How could I forget.  
19

20 MS. MASON: Really. Well, now we switch geographical  
21 regions and Della and Melvin who have been sitting patiently  
22 through all the Kodiak stuff can now get into this issue.  
23

24 MS. TREMBLE: It's about time.  
25

26 MS. MASON: Proposal 44 asks for a positive customary and  
27 traditional determination for caribou in the Unimak Island  
28 portion of Unit 10 for residents of Cold Bay, King Cove, Sand  
29 Point and Nelson Lagoon. And this is a familiar issue because  
30 this was added to the special action that was for caribou last  
31 year, but it was deferred so as not to have a c&t proposal mixed  
32 in with the other proposal. But it is a continuation, an issue  
33 that we have discussed before.  
34

35 The current c&t determination for caribou in Unit 10 is  
36 only for residents of False Pass. Whereas, False Pass residents  
37 do have a positive c&t for caribou in Unit 9(D). I think it's  
38 pretty clear that there's a long tradition of caribou hunting,  
39 both in Unit 9(D) and Unimak Island. And that the residents of  
40 those communities have a long term consistent pattern of use  
41 there. In the five communities that are under discussion, which  
42 are Cold Bay, False Pass, King Cove, Nelson Lagoon, and Sand  
43 Point, caribou have historically been the most important land  
44 animal that's used for subsistence. And there's been a long  
45 interest in the Southern Alaska Peninsula Caribou Herd because of  
46 the reduced seasons and harvest limits that came from the  
47 declining population of the herd. But even after there were  
48 reductions in the harvest limits, the harvest surveys that have  
49 been conducted in all those communities except Cold Bay show that  
50 the residents continue to rely upon caribou and that it's a very

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1 important species. So given the dependence of these communities  
2 on caribou the complete closure of all harvest in 1993  
3 represented a very significant and serious change for the local  
4 subsistence users.

5  
6 In investigating this proposal or doing the research for  
7 it, I'm grateful to Cliff because he helped me by talking to some  
8 of the Sand Point residents. And so the people that he talked to  
9 lived in the former village of Sinak before it was abandoned and  
10 its residents moved to Sand Point and that was around 1970. I  
11 have it written here but I can't remember. These two individuals  
12 were able to describe their experiences hunting starting in the  
13 late 1950s. And they said that in the late 1950s there were  
14 about 150 people living in Sinak and the hunters from that  
15 community took about 40 to 50 caribou a year. And most  
16 significantly for this was that they often traveled from Sinak by  
17 boat and took caribou on Unimak Island. And both of these men  
18 remembered doing that.

19  
20 I spoke to a King Cove resident who also recalled hunting  
21 caribou on Unimak Island every year starting almost 30 years ago.  
22 And he said that other residents of King Cove also have harvested  
23 caribou there regularly. This would often occur at the end of  
24 the fishing season when people would be on their fishing boats  
25 there and Della might be able to speak to that also.

26  
27 So from the knowledge of these local residents, it  
28 appears clear that, at least, Sand Point and King Cove have  
29 displayed a recurring pattern of use of caribou in this portion  
30 of Unit 10, which is Unimak Island.

31  
32 And also in each of the communities here that we're  
33 considering, except for Cold Bay, commercial fishing is the  
34 dominant industry in those communities and it's also the most  
35 common means of access to caribou. So it's not surprising to  
36 hear that commercial fishing boats were often used to access  
37 caribou and that's how it happened that people went to Unimak  
38 Island.

39  
40 In regard to Nelson Lagoon, that is a commercial fishing  
41 community and certainly the residents there have fishing boats.  
42 But in neither of the two years that were covered in an ADF&G  
43 questionnaire about subsistence uses of caribou did they report  
44 using a fishing boat to access caribou. They actually more  
45 frequently would, instead of taking their boats south to Unimak  
46 Island, the Nelson Lagoon hunters would more typically travel by  
47 skiff up the David River, which is near their community and also  
48 they might drive pickups along the beach or use ORVs. So we  
49 didn't have any indication that Nelson Lagoon residents have  
50 typically gone to Unimak Island to hunt.

1 All of the harvest from the five villages were reported  
2 in response to an ADF&G mailout and a face-to-face questionnaire  
3 in 1987. And all of those five villages had used Unit 9(D) for  
4 hunting caribou, even the ones in False Pass had used 9(D). But  
5 looking at the use area maps that were constructed at that time  
6 by the ADF&G researchers, some of the Kind Cove caribou use areas  
7 were very close to Unimak Island and it's not -- it wouldn't be  
8 surprising if Unimak Island were a part of a place that they  
9 would at least consider harvesting caribou.

10  
11 And also I should bring out that in 1993, the Division of  
12 Subsistence of ADF&G researchers mapped lifetime caribou use  
13 areas for 10 Sand Point residents, and those respondents reported  
14 harvesting caribou in Unimak Island in addition to Units 9(D) and  
15 9(E).

16  
17 So in just looking at the pattern of use here, the  
18 preliminary conclusion was to adopt the proposal with the  
19 modification that would add the residents of King Cove and Sand  
20 Point to False Pass as those are the communities with a positive  
21 c&t determination for caribou on Unimak Island. And the  
22 justification for only including those two communities is that  
23 Sand Point and King Cove have a long history of use of caribou on  
24 Unimak Island. And there's available evidence supporting adding  
25 those two communities. Also part of it is that access to Unimak  
26 Island by residents of King Cove and Sand Point has historically  
27 been by commercial fishing vessel.

28  
29 Presently, I was kind of surprised to discover that both  
30 Sand Point and Nelson Lagoon already have a positive c&t  
31 determination for caribou both in 9(D) and 9(E), which is north  
32 of 9(E). And apparently the Nelson Lagoon residents have  
33 traditionally hunted for caribou. If they go out of 9(D), they  
34 would more likely go north than they would to go south. Where  
35 Sand Point residents have a record of harvest in Unit 9(D), Unit  
36 9(E) and Unimak Island. And I mentioned the information that was  
37 collected from the two former Sinak residents and the King Cove  
38 resident.

39  
40 As for Cold Bay, although the residents of Cold Bay do  
41 have a positive c&t use determination in Unit 9(D), the data does  
42 not indicate a long term use of caribou on Unimak Island. For  
43 one thing it's the only community that's considered in this  
44 proposal that doesn't depend on commercial fishing as its  
45 economic mainstay. Instead, the residents of Cold Bay tend to  
46 utilize the road system surrounding their community to hunt  
47 caribou.

48  
49 So I'll leave it at that and see if anybody has any  
50 questions.

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1           CHAIRMAN OLSEN: I certainly sometimes feel that our land  
2 basis was drawn up for game management and now we're starting to  
3 manage people accordingly. When I look at it, the long use and  
4 history pattern, well, as we have found out over our last survey,  
5 the amount of caribou on Unimak Island were far more than they  
6 had ever said there was. So if there was no season open there,  
7 but yet they hunted they certainly can't tell you because they  
8 jeopardize themselves. On the other hand, if there is no caribou  
9 there, why should they go ahead to hunt them.

10  
11           MS. TREMBLE: I think.....

12  
13           CHAIRMAN OLSEN: So I think we're kind of are -- are  
14 people by boundaries, I don't know, rather than management tools.  
15 Della.

16  
17           MS. TREMBLE: Mr. Chair, I think Rachel, maybe just to  
18 look at the reasoning for the Unimak in August, it's the end of  
19 the fishing season, it's the best time to get the caribou.

20  
21           MS. MASON: Right.

22  
23           MS. TREMBLE: And they harvest it and go home. The  
24 mainland is, you know, weather gets extreme and more so in the  
25 winter, you're closer to home, it's easier to get your caribou.

26  
27           MS. MASON: Yes.

28  
29           MS. TREMBLE: And of course, Cold Bay, you know is self-  
30 explanatory, it's the road system. And the same with Sand Point  
31 in going where they were going. So it's just -- you know, it was  
32 just a matter of the time and the easiest way to harvest it. But  
33 there has been a lot of use, both from Sand Point and King Cove  
34 at Unimak just because of the fishing season, I think.

35  
36           MS. MASON: That's what the man that I talked to  
37 mentioned. And I forgot to say that all the people that we  
38 talked to from the communities talked about that they would  
39 especially go to Unimak Island when the populations were high of  
40 caribou and so at the end of the fishing season it would be easy  
41 to harvest a caribou.

42  
43           CHAIRMAN OLSEN: Melvin, what's your thoughts?

44  
45           MR. SMITH: I support the recommendation, the Staff  
46 recommendation. I think it's a good one. It's too bad that Paul  
47 and Gilda weren't here to speak on this. I think they'd have  
48 more to say, especially Paul.

49  
50           MS. TREMBLE: Mr. Chair, I think in our last meeting,

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1 Gilda was there and Paul, and both, I think, it was my  
2 understanding at the time that they did agree. I know Gilda did  
3 agree with this and Paul did agree with it because historically  
4 they didn't hunt in Unimak.

5  
6 CHAIRMAN OLSEN: That kind of sounds in line to what I  
7 remember, but then memory doesn't improve with age either. Is  
8 there any other -- anybody like to add anything to this proposal?  
9 Any comments, any other information?

10  
11 MS. TREMBLE: Mr. Chair.....

12  
13 CHAIRMAN OLSEN: Della, you've got the floor.

14  
15 MS. TREMBLE: .....I think I'd like just a couple of  
16 comments. You know, we're pretty grateful to have had this. You  
17 know, in trying to balance sometimes who can and who can't get  
18 caribou or who can and can't and different things is not an easy  
19 thing. I think, in my opinion, the communities were very  
20 respective of it. You know, you basically hear that this is kind  
21 of wrong we should have our caribou, but they also were positive,  
22 I think, in a sense that they were allowed to hunt caribou and  
23 not -- to some degree -- maybe a small amount, but they were  
24 allowed and there was a lot of sharing. Most of the permits had  
25 been taken, there was only 10 left when I left King Cove which  
26 were going to be picked up in the next couple days. And that was  
27 mainly due to the cod season starting January and they get this  
28 one week break which they'll be able to harvest their caribou  
29 before the March 31st deadline.

30  
31 The one concern, individually, I think that I saw through  
32 this is maybe the times of the surveys that were done, I thought  
33 maybe might be a little more in line if they were done in  
34 December and January. But, Greg, you know, they did have some  
35 problems as far as the flying and being able to do it. On a  
36 positive note, I think it worked very well, having a State and a  
37 Federal and a local person work together to do this all in one  
38 time. There was, I think a lot more positives than negatives in  
39 this whole thing and it was a learning process, I know, not only  
40 for myself, but you know members of the community.

41  
42 But that's basically, I thought overall it went pretty  
43 well.

44  
45 CHAIRMAN OLSEN: Thank you, Della, it is encouraging to  
46 hear that we are -- the people of these communities are getting  
47 back to a more of a normal lifestyle. I know I had a lot of  
48 response to the closure of the caribou to our Council here over  
49 the years as you well know. And it is nice to know that the herd  
50 has rebounded enough to sustain a hunt, but it's our wish to

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1 bring it back up to a full herd where we have less restrictions.  
2 Certainly only time will tell us that. Hopefully our big battle  
3 is going to be sustained yield of the herd.

4  
5 I guess the next thing here is, is there anymore  
6 discussion or anything else on this proposal before us? Hearing  
7 none, I'd certainly entertain a motion to accept or reject this  
8 proposal.

9  
10 MS. SMITH: I move to accept Proposal 44.

11  
12 CHAIRMAN OLSEN: It's been moved, do I hear a second.

13  
14 MS. TREMBLE: Second.

15  
16 MS. MASON: Are you accepting it as written or with the  
17 modification.....

18  
19 MR. SMITH: The Staff recommendation.

20  
21 MS. MASON: .....of the Staff recommendation.

22  
23 CHAIRMAN OLSEN: That is to add only King Cove and Sand  
24 Point to the existing.

25  
26 MR. SMITH: Right.

27  
28 MS. MASON: Right.

29  
30 MR. SMITH: That's what I was doing.

31  
32 MS. MASON: That's the recommendation.

33  
34 CHAIRMAN OLSEN: Moved and seconded, anymore discussion?

35  
36 MR. CRATTY: Question.

37  
38 CHAIRMAN OLSEN: Question's been called for. All those  
39 in favor signify by aye.

40  
41 IN UNISON: Aye.

42  
43 CHAIRMAN OLSEN: Those opposed by the same sign.

44  
45 (No opposing responses)

46  
47 CHAIRMAN OLSEN: Thank you, we got through one more  
48 proposal. This now takes us into Proposals 43, 45 and 46, which  
49 is on brown bear.

50



00073

1 MS. MASON: Yes.

2

3 CHAIRMAN OLSEN: Boy I have to take a minute here and  
4 look through some stuff.

5

6 MS. MASON: Yeah, it's.....

7

8 CHAIRMAN OLSEN: Do we want to take a little break here  
9 while we review this proposal, please.

10

11 MS. MASON: And just 43 is the major one that effects  
12 your Council. It's one of those conglomerate proposals effecting  
13 several regions.

14

15 CHAIRMAN OLSEN: Yes, thank you.

16

17 (Off record)

18

19 (On record)

20

21 CHAIRMAN OLSEN: Looking at Proposal 43, 45 and 46.  
22 Although I believe the only one that concerns Unit 8 is Proposal  
23 43.

24

25 MS. MASON: Well, the only one that concerns the  
26 Kodiak/Aleutian Council.

27

28 CHAIRMAN OLSEN: Yeah.

29

30 MS. MASON: Right.

31

32 CHAIRMAN OLSEN: And as far as I'm aware we can only make  
33 recommendations on our region.

34

35 MS. MASON: Actually you can weigh in on the other ones  
36 also.

37

38 CHAIRMAN OLSEN: If it has a potential impact on us.

39

40 MS. MASON: Right. What some of the other Councils have  
41 done is to defer action on any of the ones that don't effect  
42 their regions. And you might want to do that. With your  
43 permission, my hope was to concentrate in my presentation on Unit  
44 9(D), which is the only part of this analysis that does effect  
45 your region.

46

47 CHAIRMAN OLSEN: Yes, thank you.

48

49 MS. MASON: Okay. But I will briefly mention what these  
50 other -- why these other proposals are combined with it.

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1 Proposals 43, 45 and 46, all have to do with the c&t use of brown  
2 bear on the Alaska Peninsula. And some of them, Proposal 45 is  
3 asking for a positive c&t determination in Unit 9(A) for  
4 residents of Unit 9(A) and Unit 9(B) for residents in Unit 9(B)  
5 and Unit 9(C) for rural residents of Unit 9(C), and in Unit 9(D)  
6 for rural residents of Unit 9(D) and then Unit 9(E) for residents  
7 of Chignik Lake, Egegik, Ivanof Bay, Perryville, Port Heiden,  
8 Meshik and Pilot Point. And then Unit 10, Unimak Island for  
9 rural residents of Unimak Island and Unit 9(D).

10  
11 Proposal 43 is the one that was submitted by this  
12 Council, the Kodiak/Aleutian Regional Council and that one asked  
13 for a positive c&t determination only in Unit 9(D) for the  
14 residents of Unit 9(D) and in Unit 10, Unimak Island only, for  
15 the residents of Unit 9(D) and Unit 10, Unimak Island.

16  
17 And then 46 was submitted by the Pilot Point Traditional  
18 Council and that one is requesting only that the residents of  
19 Pilot Point be added to the existing c&t finding in Unit 9(E).

20  
21 And just to add more confusion to it, I misspoke when I  
22 was saying what 45 -- 45 only deals with Units 9(A), (B), (C),  
23 (D), it doesn't have to do with (E) or Unimak Island.

24  
25 Okay, clear as mud.

26  
27 And as I mentioned I'm going to concentrate my analysis  
28 on only the information that comes from Unit 9(D) and Unimak  
29 Island because that's what this region has to do with. In regard  
30 to the record of use or documented uses by the residents of Unit  
31 9(D) and Unit 10, on Page 53 and 54, there are some sealing data,  
32 and this shows that those communities in Unit 9(D) and Unimak  
33 Island have hunted brown bears in those areas. At least half to  
34 three-fourths of those five communities were from Cold Bay, and  
35 according to ADF&G, Division of Subsistence surveys, in 1992, one  
36 percent of Sand Point households and 1.3 percent of King Cove  
37 households use brown bears in 1992. And although, King Cove was  
38 the only lower Alaska Peninsula community with a harvest of brown  
39 bears reported, the two bears that were reported taken in that  
40 community in 1992, we also heard that they were not eaten by the  
41 people that had harvested them.

42  
43 Some people in the region do remember a time when the  
44 meat was used. This is something that I am going to ask the  
45 Council members to comment on, Melvin and Della. It's too bad  
46 that the other people from the region aren't here, but this is  
47 something where, since there is no information about current uses  
48 of brown bear for human consumption it would help to have Council  
49 testimony.

50

00075

1           Although subsistence use area maps have been done for all  
2 of the communities except for Cold Bay, because there's no record  
3 for any harvest for human consumption, the maps don't give any  
4 information that's specific to brown bear hunting. There is  
5 harvest ticket information showing that some of the Unit 9(D)  
6 communities reported harvesting brown bear, but again, there's no  
7 indication or information about the uses for human consumption.  
8 And for that reason, for Unit 9(D) and 10 on Unimak Island, the  
9 Staff conclusion was not to support the request for a positive  
10 c&t simply because there is no evidence of a consistent pattern  
11 of contemporary human consumption. Nor am I aware, at any rate,  
12 of any expression of interest in reviving past patterns of use of  
13 it.

14  
15           So I'll stop there and see if there are questions or  
16 further information that the Council members have.

17  
18           MR. SMITH: Yeah, I was just going to say, I've eaten  
19 brown bear and it was quite good. I didn't think it was going to  
20 be but it is. And I don't know how much use there is around  
21 False Pass but I know there are some people that do hunt.

22  
23           MS. MASON: Are there still people that hunt it now?

24  
25           MR. SMITH: I'm not sure. You know, it's been a while  
26 since I've been back there so I'm not sure, I couldn't say.

27  
28           MS. MASON: Well, I guess the more specific information  
29 we can find out about what -- when it was harvested, where people  
30 have gone for it and the pattern, in general of harvest, the  
31 better it would be for making a positive determination.

32  
33           MR. SMITH: Right.

34  
35           CHAIRMAN OLSEN: It sounds to me that your information is  
36 only based on consumption?

37  
38           MS. MASON: Yeah. That's the standard, I guess, for  
39 making a positive c&t, is that it's used for human consumption.

40  
41           MS. TREMBLE: Mr. Chair.

42  
43           CHAIRMAN OLSEN: Yes, Della.

44  
45           MS. TREMBLE: The reason this came up in the last meeting  
46 is we were kind of talking about the possibility that there is an  
47 over population of bear in not only Unimak but the North  
48 Peninsula and this is where this came about. And Melvin had  
49 mentioned that he remembers eating bear meat and I do too, I  
50 remember my dad ate it and my dad's brother ate it. I don't

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1 recall if I liked it or not, it's been a long time. But the  
2 other part of looking at this is not only to try to document, you  
3 know, I do know there are people that have eaten bear and there's  
4 actually some times of the year that it's supposedly really good.  
5 But you know, I think some more work needs to be put into this in  
6 trying to document, not only for us as communities, how, you  
7 know, this bear had been harvested and the different times of  
8 years and what else was it used for. I feel to some degree that  
9 we just don't really have enough information at this time.

10  
11 MS. MASON: Can you speak for any of the other  
12 communities in Unit 9(D) concerning their uses or do you have a  
13 feeling for whether all of them use brown bear?

14  
15 MS. TREMBLE: Well, Bill Kosky would have a stronger --  
16 not only -- in False Pass, possibly when the people lived in Fin  
17 Point and Merjovia (ph) areas. But it's some of the things we  
18 really need to try to get a little more information on.

19  
20 MR. SMITH: Yeah, I agree.

21  
22 CHAIRMAN OLSEN: Has there ever been a subsistence bear  
23 hunt allowed in this area?

24  
25 MS. MASON: In Kodiak there has been. You mean in this  
26 area, Unit 9(D)?

27  
28 MS. MASON: I don't know. Maybe there's somebody here  
29 that can speak to that, but as far as I know there hasn't been.

30  
31 CHAIRMAN OLSEN: I guess what I'm getting at is, like  
32 Kodiak here, we were suppressed of the bear hunting for many  
33 years. Now, all of a sudden we want documented history of it,  
34 where the government itself has suppressed the people out of it  
35 and they have had to take them illegally, if you will, by their  
36 standards. Certainly they're not going to open up prosecution  
37 for themselves. I mean we've been over this many times. And all  
38 I know is how can we say -- make these statements then if there  
39 has never been the opportunity.

40  
41 MS. MASON: Mr. Chairman, actually at this time there is  
42 no c&t determination on Unimak Island, so it is open to all rural  
43 residents at this time. There's no Federal subsistence priority  
44 in Units 9(A), 9(C) and 9(D), but in Unit 9(B), there is a c&t  
45 determination just for the residents of that subunit. So  
46 elsewhere in the area there have been c&t determinations made and  
47 then in Unimak Island it's open to all rural residents now.

48  
49 CHAIRMAN OLSEN: Certainly that doesn't answer my  
50 question as to how they make these determinations when there has

00077

1 never been any legal access given them. How can that fairly be  
2 argued?

3  
4 MS. MASON: Yeah.

5  
6 CHAIRMAN OLSEN: That your findings find that there was  
7 no use, well, there wasn't no use because they were not allowed.

8  
9 MS. MASON: Well, nobody's shut out now on Unit 10. But  
10 I guess you could make that argument for 9(D), with no  
11 subsistence then how could you develop a -- or maintain a  
12 tradition of subsistence.

13  
14 CHAIRMAN OLSEN: Right. And I also have for many -- I  
15 argue the point of your arguing ingestion, I guess, when  
16 subsistence is more than ingestion; of clothing and traditions,  
17 too.

18  
19 MS. MASON: Yeah.

20  
21 CHAIRMAN OLSEN: I hate -- based on solely having eaten  
22 it, did you like it? I mean that's.....

23  
24 MS. MASON: Yeah.

25  
26 CHAIRMAN OLSEN: On the other side of the fence that  
27 angers me that when I look at the regulation we have to take the  
28 whole bear meat out. Where's the justification? Sports hunters  
29 don't have to take any. That's only opening the doors for  
30 prosecution, I'm against that.

31  
32 MS. MASON: Yeah. I agree that there are many other  
33 uses, subsistence uses other than human consumption. Maybe I can  
34 ask for some assistance in talking about our.....

35  
36 UNIDENTIFIED VOICE: Current regulations you mean?

37  
38 MS. MASON: No, the way that we expect a c&t will be for  
39 human consumptions, species for human consumption.

40  
41 UNIDENTIFIED VOICE: (Indiscernible - away from  
42 microphone)

43  
44 CHAIRMAN OLSEN: I'm sorry, excuse me, yes Craig.

45  
46 MR. MISHLER: Yeah, could you tell me where this proposal  
47 originated? Did it come from the communities?

48  
49 MS. MASON: This came from the Council, the Regional  
50 Council at our Cold Bay meeting. It was brought up at the last

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1 meeting.

2

3 MR. MISHLER: With the conviction that this was an  
4 already established hunt?

5

6 MS. MASON: Actually as I recall, the inspiration for it  
7 was the comment of talking about the caribou population and that  
8 there was a need for less of a bear.....

9

10 MR. MISHLER: Predation?

11

12 MS. MASON: .....predation on the caribou?

13

14 CHAIRMAN OLSEN: But they don't manage predation.

15

16 MS. MASON: Right.

17

18 CHAIRMAN OLSEN: And here again, I ask the question,  
19 there has been no season for it, how can you rule out what wasn't  
20 taken advantage of? So I really have a problem with that and I  
21 recall this very much. Part of our topics is we -- the residents  
22 in that area had many times testified that the predation on the  
23 caribou were stunting the growth. This is one of the reasons why  
24 it was brought in as I recall.

25

26 MS. TREMBLE: Mr. Chair.

27

28 CHAIRMAN OLSEN: Yes, Della.

29

30 MS. TREMBLE: Would it be advisable to just table this at  
31 this point to maybe possibly try to get more information?

32

33 MS. MASON: To table it or to defer it? Defer it pending  
34 more.....

35

36 MS. TREMBLE: Table pending more information.

37

38 MS. MASON: Okay.

39

40 MS. TREMBLE: I'd like to talk to some more people in the  
41 communities and then maybe when we get to Sand Point and find  
42 out, you know, how much interest.

43

44 MS. MASON: Okay.

45

46 MS. TREMBLE: One of the things under subsistence I  
47 sometimes -- in my mind I view it as a traditional type thing is  
48 how much or what was traditionally the bears used for and is  
49 there interest in bringing -- there's a lot of interest in doing  
50 some of the cultural stuff in our communities, and this may fall

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1 under -- if that falls under those guidelines. And you know, I  
2 would kind of like to try to get more information as we can.

3  
4 MR. BOYD: Just to clarify one of Rachel's points  
5 regarding the use or utilization of brown bear. And I think this  
6 is where the connection is made to the analysis of eating or  
7 harvesting edible portions of the bear. Currently in our Subpart  
8 D general regulations, this is pretty much a statewide  
9 regulation, we state that a person taking wildlife for  
10 subsistence uses must salvage the following parts for human use,  
11 and among many things it says here, the hide and edible meat of  
12 brown bear, except that the hide of brown bear is taken -- and  
13 this is applies to a different part of the state, but we do  
14 require that the hide and edible meat, unless accepted in other  
15 parts of the regulation be used. And we also go on to say that  
16 failure to salvage edible meat of ungulates and bear and grouse  
17 or ptarmigan is prohibited.

18  
19 So I think that when our Staff does an analysis for c&t  
20 use of brown bear, they take into consideration that it's brown  
21 bear harvested for consumption, for food. What I'm hearing is  
22 that you're telling me that that's not necessarily the case but  
23 that's currently the general regulation in Subpart D.

24  
25 CHAIRMAN OLSEN: And this under subsistence?

26  
27 MR. BOYD: Yes.

28  
29 CHAIRMAN OLSEN: What does the regulation read under  
30 sports taking on Federal lands?

31  
32 MR. BOYD: Well, we don't regulate sports harvest.

33  
34 CHAIRMAN OLSEN: I'm just curious as to it.

35  
36 MR. BOYD: Yeah.

37  
38 CHAIRMAN OLSEN: It seems to me like that issue.....

39  
40 MR. BOYD: Well, to the best of my knowledge they aren't  
41 required to salvage the meat, that's correct.

42  
43 CHAIRMAN OLSEN: And to my knowledge that's right.

44  
45 MR. BOYD: Yeah.

46  
47 CHAIRMAN OLSEN: And I'm just trying to think, where does  
48 that play a part in our conservation? In fact, it goes against  
49 the whole grain of what we're trying to establish.

50

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1 MR. BOYD: Well, I guess it comes into play of what are  
2 we talking about when we say subsistence use of brown bears. We  
3 have defined it as the edible -- the use of the edible meat as  
4 part of the subsistence use of the bear, as well as the hide and  
5 every other part.

6  
7 CHAIRMAN OLSEN: Certainly.

8  
9 MR. BOYD: Yeah.

10  
11 CHAIRMAN OLSEN: I agree, I just have to look at this and  
12 know the history of Kodiak Island itself. Certainly brown bear  
13 was used very much in this area.

14  
15 MR. BOYD: Yes.

16  
17 CHAIRMAN OLSEN: I look at even our dance groups. But  
18 the people were so decimated by other cultures and we've never  
19 been allowed to rebuild on that. So I certainly am trying to and  
20 I play -- I support trying to revive some of the traditions, and  
21 the small amounts we talk about are insignificant. So I'll just  
22 throw that in.

23  
24 Della, you made some comment of deferring, were you  
25 deferring all three or one of 9(D)?

26  
27 MS. TREMBLE: I think the Unit 9(D) and 10, Melvin?

28  
29 MR. SMITH: Ten, yeah.

30  
31 MS. TREMBLE: Yeah, I think until we can get more  
32 information. And reading this in here, this customary and  
33 traditional use means a long established consistent pattern of  
34 use incorporated beliefs and customs which have been transmitted  
35 from generation to generation. And this use plays an important  
36 role in the economy of the community. Maybe not so much as we're  
37 looking at, and maybe we are looking at trying to eat -- you  
38 know, our ancestors have. But also looking at it as like I say,  
39 learning what our customs were in the past and there's been a  
40 strong effort of that in our region, is trying to establish some  
41 of that history.

42  
43 But yeah, I think until we get some more information.

44  
45 CHAIRMAN OLSEN: Do I hear an objection at this point?

46  
47 (No opposing responses)

48  
49 CHAIRMAN OLSEN: Hearing no objection that I guess we  
50 will defer these until -- is there a time.....



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1 MR. CRATTY: Yeah, is there a time?

2  
3 CHAIRMAN OLSEN: Sue.

4  
5 MS. DETWILER: Can I ask a question, when you're talking  
6 about deferring, are you deferring -- are you making a  
7 recommendation that the Board defer action then or you just want  
8 to defer your own discussion of it?

9  
10 CHAIRMAN OLSEN: That's a good question. I assume to the  
11 next meeting?

12  
13 MR. CRATTY: Until you get more information.

14  
15 MS. TREMBLE: Until we get more information.

16  
17 MR. CRATTY: Yeah.

18  
19 MS. MASON: Is there a deadline.....

20  
21 MS. TREMBLE: That's the way I understand it.

22  
23 MS. MASON: .....or something?

24  
25 MS. TREMBLE: Well, maybe we'll have more information by  
26 the next meeting, hopefully.

27  
28 MS. MASON: Okay.

29  
30 MS. TREMBLE: We've got the fall, we've got enough time.

31  
32 MS. MASON: Okay.

33  
34 CHAIRMAN OLSEN: I guess that would be deferring it from  
35 any Board action at this point as well.

36  
37 MS. DETWILER: Yeah, I figured as much.

38  
39 MS. MASON: Yes.

40  
41 MS. DETWILER: I just wanted to make it clear.

42  
43 CHAIRMAN OLSEN: Yes. I take it that's on all three  
44 proposals?

45  
46 MR. CRATTY: Um-hum.

47  
48 CHAIRMAN OLSEN: Am I correct?

49  
50 MR. CRATTY: Yes.

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1 MS. MASON: Just to make my responsibilities clear on  
2 this, I will pursue it with Della and get more information on it.  
3 However, what I see is the interest of this Council is 9(D) and  
4 10 and not all of the 45 -- the ones concerned with in Proposal  
5 45 and 46; is that correct?

6  
7 CHAIRMAN OLSEN: Yeah.

8  
9 MS. MASON: Okay.

10  
11 CHAIRMAN OLSEN: Well, I'm trying to think on how 45 and  
12 46 effect us?

13  
14 MS. MASON: Not really. 45 does, in that, 9(D) is part  
15 of it, but that's -- it's repeated in Proposal 43. So actually  
16 there's no need for this Council to comment on 45 and 46.

17  
18 CHAIRMAN OLSEN: Okay, that was my understanding. Thank  
19 you for confirming it. I guess we're done with brown bear at  
20 this point, 43, 45 and 46?

21  
22 MS. MASON: Yes.

23  
24 CHAIRMAN OLSEN: Good. We'll look to see what's next on  
25 our agenda here. I believe that takes us to old business.

26  
27 MR. EDENSHAW: Mr. Chair, under old business, Tom Eley is  
28 going to give a presentation regarding amendments to the  
29 Migratory Bird Treaty.

30  
31 MR. ELEY: No action is required, you can relax now. Mr.  
32 Chair and Council, I'm very pleased to be here and would like to  
33 update you on the amendments to the Migratory Bird Treaty that  
34 have been going on over the last, oh, about eight years.

35  
36 Spring subsistence hunting of waterfowl outside the  
37 normal season has occurred -- the normal season, of course, was  
38 setup by the Migratory Bird Treaty between the U.S. and Canada in  
39 1916 and I think the Fish and Wildlife Service and everybody  
40 recognizes that spring hunting went on long -- has gone on a long  
41 time, particularly in the north. And there's been attempts to  
42 figure out how to make this legal and of course that would  
43 require amendments to the Treaty. There have been several  
44 attempts in the past. These were disastrous for a variety of  
45 reasons. In 1990 a new attempt was started, it was actually a  
46 much more organized than in the past. There was a negotiation  
47 team that was established that had Molly Beatty who was formally  
48 their director, who is now deceased, Paul Smith, Dave Allen from  
49 our regional office, Myron Naneng, Charlie Brower and Jonathan  
50 Solomon who were the three Native representatives representing

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1 three different parts of Alaska.

2

3 They worked real hard on this and in 1995, December of  
4 '95 they actually had a protocol signed between Canada and  
5 Babbitt. Then they figured out that the Migratory Bird Treaty  
6 with Mexico would have to be modified, it was modified and this  
7 protocol was signed in '97. In October 23rd, '97, the Senate  
8 ratified both protocols, the Canada/US protocol and the US/Mexico  
9 protocol which allows an open season for subsistence harvest of  
10 migratory birds from March 10th to September 1st. But this  
11 doesn't mean that's what the season's going to be. The  
12 ratification of the protocols do not automatically establish the  
13 season but allow a season. A few other things have to take  
14 place.

15

16 The season has to be legally open with regulations and  
17 amendments to the Migratory Bird Treaty now give the Service the  
18 authority to set the regulations, as I said, between March 10th  
19 and September 1st. In the interim, though, the policy will be  
20 that the spring migratory bird season, if you will, or migratory  
21 bird hunting during the spring will remain closed. The Fish and  
22 Wildlife Service will have the -- historic policies related to  
23 spring hunting where we look for wanton and waste and look for  
24 use of aircraft and bird hunting and those will be the  
25 enforcement focuses as well as a few other things. But we'll  
26 pass that on to you at a later date.

27

28 What's going to be setup is a management body that's  
29 going to set the regulations or make recommendations. This  
30 management body will be made up of three entities, Native  
31 representation, Federal government representation and State  
32 representation. And the thought is now that it will probably  
33 take about two years to get this body organized. They want to  
34 have public input, go around to the villages, find out what  
35 people think about the management body, what sort of regulations  
36 need to be established and so forth. This body then will make  
37 recommendations on things like seasons, bag limits, particular  
38 hunting restrictions, law enforcement policies, population  
39 monitoring, and also the research and the use of traditional  
40 knowledge, which is considered to be very important. This  
41 information then will be -- and the recommendations will be  
42 forwarded to the Fly-Away Councils and ultimately to the Service  
43 regulations committee where the regulations will actually be  
44 established.

45

46 We're telling the local people that the setting up of  
47 these management bodies will take about two years and some people  
48 were a little taken aback by the amount of time, but we want to  
49 be sure we've got a good situation, a good organization that is  
50 setup. And we also want to emphasize that this regulatory body

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1 will be separate and unique and different from the Federal  
2 Regional Councils. It will be a whole separate body altogether.

3  
4 Let me see what else I need to tell you here that would  
5 be of interest to you all. Treaty language, there was some  
6 changes in the treaty language at the very end and I'll just  
7 mention these. One was the definition of who could hunt. And it  
8 was originally reported to be or required to be, Alaska Natives  
9 who were permanent residents of villages within designated areas  
10 where subsistence hunting of migratory birds is customary and  
11 traditional. This term also includes resident non-Natives of  
12 these villages who have legitimate subsistence hunting needs.  
13 That was the original. When the protocol was ratified by the  
14 Senate an understanding was attached that states this: The  
15 United States understands the term indigenous inhabitants means  
16 a permanent resident of a village within a subsistence harvest  
17 area regardless of race. So it's basically, any rural resident,  
18 if you will, although they've stayed away from that term because  
19 it's confusing with this program in other issues, and are using  
20 the indigenous inhabitant.

21  
22 The other thing that was attached to it was that  
23 subsistence harvest areas are established to include most village  
24 areas within the Alaska Peninsula, the Kodiak Archipelago, the  
25 Aleutian Islands and areas north and west of the Alaska range.  
26 Areas that would generally not qualify include, Anchorage,  
27 Matanuska/Susitna and Fairbanks North Star Boroughs. The Kenai  
28 Peninsula roaded area. The Gulf of Alaska roaded area. And  
29 Southeast Alaska. Exceptions to these areas can be made through  
30 the deliberative process when the management body is, in fact,  
31 established.

32  
33 So we should have spring seasons in the next two to three  
34 to four years at the outset, and this will be a whole separate  
35 process. So people will be out in the villages from this group  
36 that includes Native representation as well as Fish and Wildlife  
37 Service talking to village residents about the management program  
38 and gleaning their ideas, what people think might be needed.

39  
40 CHAIRMAN OLSEN: Is there a possibility could you get  
41 this retroactive so we could start now?

42  
43 MR. ELEY: That'd be nice, but I don't think so.

44  
45 CHAIRMAN OLSEN: Yeah, one question. As we look at this  
46 Migratory Bird Act, have they done anything to identify by  
47 species? The reason I ask that is I know that a sea gull at this  
48 point is under the Migratory Bird Act and therefore, excludes the  
49 people from harvesting sea gull eggs. Has there been any  
50 movement to.....

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1 MR. ELEY: There wa some talk about this and I'm sorry I  
2 can't answer that question right off the top of my head. But I  
3 think there are provisions for that, but it wasn't addressed  
4 specifically.

5  
6 CHAIRMAN OLSEN: Yeah.

7  
8 MR. ELEY: And through the management bodies, there can  
9 be seasons established for certain things. And I would think  
10 where there's been a customary and traditional use, if you could  
11 make an argument for it, then -- but this will have to come to  
12 pass, you know, it hasn't yet.

13  
14 CHAIRMAN OLSEN: Right.

15  
16 MR. ELEY: And it wasn't specifically addressed in the  
17 protocol.

18  
19 CHAIRMAN OLSEN: Yeah. No, I'm just trying to.....

20  
21 MR. ELEY: They were thinking ducks and geese and swans  
22 is what they were thinking of.

23  
24 CHAIRMAN OLSEN: Sure. And that's what I would assume  
25 too.

26  
27 MR. ELEY: Sure. And people have used guillemots and  
28 cormorants and all sorts of little sea birds as well on some  
29 islands, like St. Lawrence Island for example and the Aleutian as  
30 well.

31  
32 CHAIRMAN OLSEN: Al, you have a question?

33  
34 MR. CRATTY: Yeah. I'd just like to make a suggestion  
35 when you do these surveys that they do them in the fall or the  
36 wintertime, not in the summer when most of the hunters are gone  
37 fishing.

38  
39 MR. ELEY: Yeah, I agree. And if you remember, from our  
40 meeting down in Cold Bay, there was a lot of concern about  
41 emperor geese and some other questions about surveys in general,  
42 and we'd arranged to have Rod King, who was the man who does the  
43 surveys to be here today, but his wife took very ill suddenly and  
44 he wasn't able to come. But we will have him at the next meeting  
45 so people can ask specific questions. I think it's real  
46 important that the Councils talk to the people that are really  
47 doing the work on the ground because there are all sorts of  
48 questions that come up that we can sort of speculate because  
49 we've done it before, but it's much better to talk to the person  
50 who did it, who made the count. And then if he has charts or

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1 tables or graphs or whatever, you know, you can say, well, how  
2 did you do this, where did you get this number, you know, where  
3 did you fly, what was the season, why did you do it this way?  
4 And he can answer or she can answer all those questions depending  
5 upon who did it. So that had been setup and I apologize and I  
6 know Rod was looking forward to talking to the Council here, but  
7 it was one of those emergencies.

8  
9 MR. CRATTY: Like Mark said, I think the only spring  
10 birds we eat around here are sea gulls.

11  
12 MR. ELEY: Yeah.

13  
14 MR. SMITH: Could we get copies of the material you have  
15 there?

16  
17 MR. ELEY: Yes, sir, not a problem.

18  
19 MR. SMITH: Thank you.

20  
21 CHAIRMAN OLSEN: The other thing that -- excuse me, Tom,  
22 that I know was brought up in Sand Point was the people have  
23 identified many of the birds as not migrating.

24  
25 MR. ELEY: Um-hum.

26  
27 CHAIRMAN OLSEN: Is there any room for bringing this out?

28  
29 MR. ELEY: You could certainly bring it to this  
30 management board and deal with that issue. Because management,  
31 policies, seasons, bag limits and these sorts of things will be  
32 dealt with. So if there's a closed season that you don't like or  
33 season you want to have, that would be the entity that you would  
34 take it to.

35  
36 CHAIRMAN OLSEN: Because I, for myself, I will have to  
37 agree that these birds that have supposed to have migrated at  
38 certain times, they're still there.

39  
40 MR. ELEY: Um-hum.

41  
42 CHAIRMAN OLSEN: And I don't know what else proof you  
43 need -- a lot of the birds, just because of a species, they say,  
44 well, they migrate. Well, I don't find that to be consistent  
45 with all birds.

46  
47 MR. ELEY: I agree in some cases, yes, sir.

48  
49 CHAIRMAN OLSEN: Thank you, Tom.

50

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1 MR. ELEY: Yes, sir.

2

3 CHAIRMAN OLSEN: Mr. Siekaniec, I believe you're next on  
4 the Izembek.

5

6 MR. SIEKANIEC: Lots of good stuff.

7

8 CHAIRMAN OLSEN: Good, because we want to hear good news.

9

10 MR. SIEKANIEC: That's right. Mr. Chairman, members of  
11 the Council, thank you for the opportunity to address the Council  
12 this afternoon. General Izembek issues, Della did a pretty darn  
13 good job of already describing some of the current hunt  
14 information that's out there, the hunt that's going on right now  
15 relative to the Southern Alaska Peninsula Herd in our area.  
16 Would you like me to reiterate any of that or did you have any  
17 questions relative to the way the permits were handed out after  
18 the Board authorized 100 or anything like that? If everybody's  
19 comfortable and satisfied with that, I can just move into another  
20 area.

21

22 MR. CRATTY: Yes, we're satisfied.

23

24 CHAIRMAN OLSEN: Anybody? Hearing none.....

25

26 MR. SIEKANIEC: Okay. Well, then why don't we just.....

27

28 CHAIRMAN OLSEN: I'd like to say that so far the initial  
29 steps have been taken have so far appeased that we're moving in  
30 the right direction.

31

32 MR. SIEKANIEC: Yeah, I'll reiterate that. I've heard a  
33 lot of positive comment. There were, you know, a few questions  
34 we worked through during the initial phase of the communities  
35 handing out the permits, getting the permits and so on. We did  
36 manage to discuss it with communities and sort of keep it at that  
37 level and say, well, you know, these are the things why we want  
38 you dealing with that, you know your communities and it ended up  
39 working out really well, I think.

40

41 CHAIRMAN OLSEN: How many were harvested by the way?

42

43 MR. SIEKANIEC: Those numbers we do not have yet. If  
44 there's one area we need to work on a little bit, it's the  
45 reporting part of it. They're just slow in coming in. Cold Bay  
46 numbers are 15 permits, I believe there's a dozen that have been  
47 harvested there. Unimak Island, the last I spoke with Tammy  
48 Shelikoff who's doing some work for us down there in keeping  
49 track was five animals out of the 60 had been harvested. Della  
50 could probably speak of the King Cove. Sand Point, very, very

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1 few animals have been harvested, which is one area I was going to  
2 mention and we might as well right now.

3  
4 The Sand Point permits, as they were made available and  
5 they selected the individuals and the individuals came in and  
6 they looked at the map and said, well, wow, that's way down  
7 Federal lands, Cold Bay way wherever, you know. A lot of people  
8 have elected probably not to hunt. So I have discussed with  
9 their committee that if there was an opportunity for them to free  
10 those permits up, turn them back in to the Subsistence office and  
11 perhaps work with getting those reissued to another community,  
12 that is under way right now. The clerk in Sand Point was busy  
13 contacting people trying to find out, hey, you're listed here,  
14 are you going to come in and get a permit, we need to know. So  
15 I would think within, you know, the middle of next week we'll  
16 have an idea of what would be made available in that way.

17  
18 MR. SMITH: Were any of them used in Sand Point?

19  
20 MR. SIEKANIEC: To my knowledge, she did not know at this  
21 point in time if any of them had been used.

22  
23 From my knowledge in Cold Bay, I have not seen anyone  
24 from Sand Point come over. I have heard of a couple people  
25 coming over to hunt with, you know, a couple of the residents of  
26 Cold Bay area and that way. So anyway, that's in the works. I  
27 think that's a real positive move. As you had said earlier,  
28 you'd like to see, you know, if permits are not going to be  
29 utilized in certain areas, that we can make some adjustments and  
30 do some things. So I think that's.....

31  
32 MS. TREMBLE: We've got about 25 -- that definitely would  
33 like them.

34  
35 MR. SIEKANIEC: Right. So, you know, hopefully by the  
36 middle of next week we'll have an idea of where that's headed and  
37 try and get -- because you know, there's still a few weeks left  
38 that would be good to get some additional permits out. Any  
39 questions along that line?

40  
41 Nelson Lagoon, they pretty much filled their permit  
42 quota, you know, although we have yet to receive the reports. So  
43 we're.....

44  
45 MR. SMITH: What did they have, 15?

46  
47 MR. SIEKANIEC: Fifteen, Nelson, 15 Cold Bay, 35 Sand  
48 Point, 35 King Cove, 60 False Pass.

49  
50 CHAIRMAN OLSEN: So the False Pass, King Cove, how are



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1 they doing with their permits, have they been filling them?

2

3 MR. SIEKANIEC: False Pass, the last I had heard was they  
4 had killed five.

5

6 CHAIRMAN OLSEN: Okay.

7

8 MR. SIEKANIEC: And Della, do you know how King Cove  
9 sits?

10

11 MS. TREMBLE: I know that I only have 10 permits left and  
12 before I left I called everybody and they were picking them up in  
13 the next couple of days. As far as I know, a few of them have  
14 harvested already. And as far as I'm getting the reports in, I  
15 don't know.

16

17 MR. SIEKANIEC: Yeah. I've seen a few people from King  
18 Cove over in the Cold Bay area, so I know some people are  
19 hunting. So hopefully the harvest reports will come in.

20

21 CHAIRMAN OLSEN: So we didn't have no massacre out there,  
22 that's what we're saying?

23

24 MR. SIEKANIEC: No, no. It's been a very -- you know,  
25 there was no rush of people to get in, no, it's been very spread  
26 out and very people around.

27

28 CHAIRMAN OLSEN: Okay.

29

30 MR. SIEKANIEC: So why don't we jump into -- we'll stay  
31 with the Southern Alaska Peninsula Herd discussion and we'll  
32 start talking a little bit about winter survey results, of which  
33 I have the trip report that's finally been compiled here for the  
34 Council members.

35

36 I think we'll just sort of jump to the bottom line, our  
37 winter survey results netted us approximately 3,150 caribou --  
38 3,127. We continued to try and develop the survey in such a way  
39 as we incorporated the Fish and Wildlife Service, the community  
40 members and the State of Alaska. Right at the last minute we  
41 ended up with the -- not being able to get Mr. Sellers from King  
42 Salmon down just simply because of Reeve changed their flight  
43 schedule for two days and skipped King Salmon connection there,  
44 but anyway, we did end up with the Fish and Wildlife Service and  
45 community members, again, completing the survey to that degree.  
46 I think that is an extremely positive sign. You know, last year  
47 I was very cautious. I was making recommendations to both the  
48 Council and the Board that we move cautious because we had one  
49 year of data indicating that our herd was at, you know, at  
50 substantially higher numbers than they had been in the past. I

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1 think this is an excellent sign indicating we've got good two  
2 year data now, very similar numbers that we will be able to move  
3 forward into a more solid recommendation for the coming season.  
4

5 I think the coming season for a hunt will bring about,  
6 you know, my goal is to get a hunt in place for the August  
7 season, you know, August, September period as well. I'm  
8 reluctant to put a number on what we would go for a harvest quota  
9 at this point in time, simply because I think the State is  
10 entertaining how they fit into this picture now. And I think we  
11 need to have a few more discussions with what they may do.  
12 Having talked it over with Mr. Sellers, he wants to hear from the  
13 communities, from the Fish and Game Advisory Boards as to what  
14 they would like to see happen. So you know, there's a period of  
15 time in here where there needs to be some communications between  
16 the advisory boards, Mr. Sellers and myself as to what we would  
17 look for for a harvest goal and the type of season that we would  
18 anticipate. I can say that from the standpoint of Federal lands  
19 there will certainly be a season, you know, what the number of  
20 permits will be there, I'm reluctant to hang a number on at this  
21 point in time. There's absolutely no reason that it certainly  
22 won't meet what we did this year, you know.  
23

24 Mark, you look like you have a question?  
25

26 CHAIRMAN OLSEN: Yeah, questions, I hit a soft spot there  
27 with the State getting back into it again.  
28

29 MR. SIEKANIEC: Um-hum.  
30

31 CHAIRMAN OLSEN: This is totally one of my concerns.  
32 When you say State getting back into it, I take it as a sport  
33 hunt?  
34

35 MR. SIEKANIEC: No, I.....  
36

37 CHAIRMAN OLSEN: Is that what the point is or what you  
38 mean by that?  
39

40 MR. SIEKANIEC: I'm very reluctant to speak for the  
41 State. I have had discussions with Mr. Sellers from the idea of  
42 sport hunt to managing the season on a timed basis, whether it  
43 opens early, opens late or whatever to try and accommodate local  
44 area interests. He is very much concerned though that he hears  
45 from the people of the area, you know, through the advisory board  
46 before they sort of move into any direction whatsoever. So.....  
47

48 CHAIRMAN OLSEN: Well, as I understand it now, this has  
49 been only a subsistence hunt?  
50

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1 MR. SIEKANIEC: It has been a subsistence hunt on Federal  
2 lands only which has caused some concern to some of the  
3 communities because the access issue, the proximity of the herd.

4  
5 CHAIRMAN OLSEN: I see.  
6

7 MS. TREMBLE: Maybe if I could -- one of the things that  
8 we found in this -- and this actually came up before a number of  
9 times, through the course of this, a lot of these people -- I'll  
10 speak for King Cove, mainly, as a lot of the village corporation  
11 lands are good hunting areas, and you know, the Pavlof, some of  
12 the areas in there, they're all under -- you can only hunt on  
13 them under State. And when I mentioned before, some of the ways  
14 to regulate this or to help maybe through this process that helps  
15 the residents in the communities was the village corporation  
16 making a policy for hunting caribou like we do with bear. So in  
17 a way, like maybe deter people from wanting to come out if  
18 they're going to have to pay a large amount of money for a trophy  
19 hunt. But you know, it also allows the people in the region to  
20 hunt elsewhere and on their own corporation lands and not just  
21 in, you know, the Federal lands. It's Catch-22. It helps in  
22 that respect, but there is also the current concerns that we  
23 won't get our caribou and other people will, you know, it's.....  
24

25 MR. SIEKANIEC: Della and I have discussed this in the  
26 past and there is a -- you know, if the State needs to come in  
27 and work with us on a season if we want to have the corporation  
28 lands legally opened up, the Federal lands we can deal with. You  
29 know, we can deal with that to meet the needs of the local  
30 communities in the area. The trick gets to be the State lands  
31 once they're open, you know, how will that be managed, will it be  
32 wide open, there is -- Dick did say there is the Tier II  
33 possibility, although he said that, you know -- to me he said, he  
34 would be somewhat cautious of that because quite often a Tier II  
35 tends to bring -- one community will tend to override the rest of  
36 the area simply because of some of the questions that are asked  
37 on the application process. Or the income levels of a particular  
38 community could turn and start deriving if it is a particularly  
39 low income area driving where those permits go. So he said, you  
40 know, that needs to all be considered and talked about, you know,  
41 by the advisory boards when they come to him with some sort of  
42 recommendations on what they would like to see happen.  
43

44 CHAIRMAN OLSEN: Then could the State have a hunt on  
45 State lands as well, this year?

46  
47 MR. SIEKANIEC: No.

48  
49 CHAIRMAN OLSEN: No.  
50

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1 MR. SIEKANIEC: No.

2

3 CHAIRMAN OLSEN: Okay. So they have kept the season  
4 closed?

5

6 MR. SIEKANIEC: On State lands that is correct.

7

8 MR. EDENSHAW: Greg, may I make a comment, I think in  
9 regards to King Cove or I guess for that matter, most of the  
10 communities, the five that have been ongoing in this issue -- so  
11 when you're saying that Dick Sellers would like to hear from the  
12 communities, am I speculating that -- would there be an  
13 opportunity for the residents -- you know, under the Federal  
14 system they were allocated, what was it, 160 this year? So am I  
15 to assume that if the residents of the villages forfeited their  
16 Federal permits to possibly look at a solution, is that a way  
17 that the State is willing to look at to have a State hunt on  
18 State lands, for some of these people to forego their Federal  
19 permits to have an opportunity to hunt closer to their  
20 communities; is that what Dick's looking for? Because this past  
21 year, the State didn't have a hunt on caribou so there's already  
22 160 being allocated.

23

24 MR. SIEKANIEC: I think the allocation of permits is a  
25 concern. You know, a lot of that is going to be based on the  
26 productivity of the herd, and the bull/cow ratios and that and  
27 where -- where the anticipated harvest would come from. You  
28 know, it would be hard for me to speak again for the State as to  
29 their total thought process, but I think Dick is very interested  
30 in looking at what can be worked out to satisfy the needs of the  
31 local area to some degree. And that's why I say, I would be  
32 reluctant to hang a number on what that harvest goal is going to  
33 be because we don't know how that's going to come together, you  
34 know, what will be the final outcome of a State season. If it  
35 becomes a wide open State season that will have an influence on  
36 the number of permits we would likely put out on Federal lands.  
37 You know, we have to work together on this to come up with a  
38 harvest goal for the area. So I don't know, I don't think I can  
39 answer your question. I think that needs to be addressed to the  
40 State.

41

42 MS. TREMBLE: Greg.

43

44 MR. SIEKANIEC: Yeah.

45

46 MS. TREMBLE: In this report you got 139 on Unimak, it's  
47 my understanding that Unimak was not.....

48

49 MR. SIEKANIEC: Correct. That's correct, that's just --  
50 if you take a look at the map, the confusing map on the back that

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1 refers to the overall view. You'll see the northern portion of  
2 the island was the only area that we had an opportunity to survey  
3 before the weather turned lousy on us and we -- we did four days  
4 worth of survey work and then finally we lost the weather and now  
5 we've lost our airplane, meaning it's grounded, we can't get up  
6 in the air at this point in time. So we just couldn't get that  
7 one before coming in here. We did manage to get the mainland,  
8 though. We still had one little piece we worked on in the Canoe  
9 Bay area and Seal Cape and Beaver Bay and that, we drafted up  
10 just last week. So that's why the report was hand carried  
11 instead of in your packet.

12  
13 CHAIRMAN OLSEN: Is that area surveyed this year where  
14 the majority of the caribou were found last year? I mean would  
15 that be a fair statement or not?

16  
17 MR. SIEKANIEC: Without doing an in-depth analysis I  
18 would say the lower Peninsula exhibited a fairly similar  
19 distribution of caribou as it did last year.

20  
21 CHAIRMAN OLSEN: I guess the point I'm saying is last  
22 year they found a lot more caribou on Unimak Island than.....

23  
24 MR. SIEKANIEC: Oh, are the caribou on Unimak Island?  
25 Yes, I think they're still there, we just -- you know, one days  
26 worth of survey work just didn't get us to the bulk of the  
27 animals.

28  
29 CHAIRMAN OLSEN: All right. That's all I was trying to  
30 get at.

31  
32 MR. SIEKANIEC: No, I don't think that they have moved.  
33 We did get one opportunity to do some radio work in November, we  
34 located a couple of radios, that particular day, flying a similar  
35 area but just doing radio work, we located 300 and some animals.  
36 It just so happens that day there there was -- there's been quite  
37 a bit of snow on Unimak Island, winter conditions were there,  
38 they probably have moved a little bit.

39  
40 MR. SMITH: If they did, they moved from the north side  
41 of the island to the south side, you know, maybe due to the  
42 colder.....

43  
44 MR. SIEKANIEC: Likely.

45  
46 MR. SMITH: .....winters, better feeding and grazing.

47  
48 MR. SIEKANIEC: Can I answer any other questions on the  
49 survey work?

50

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1           CHAIRMAN OLSEN: Do you feel -- I guess you say you  
2 didn't complete it, so are you still.....

3  
4           MR. SIEKANIEC: Yeah, we'd like to be able to get a  
5 chance to do Unimak Island yet and take a look at what may be  
6 happening out there. We've got five radio-collars out there that  
7 we'd like to do a little survivorship work with, you know,  
8 limited number, but yet tells us some information.

9  
10          CHAIRMAN OLSEN: In other words, this survey didn't  
11 conclude the survey?

12  
13          MR. SIEKANIEC: No. The northern -- you know, it wrapped  
14 up the survey work on the Peninsula part.

15  
16          CHAIRMAN OLSEN: Right.

17  
18          MR. SIEKANIEC: You know, we're very comfortable that  
19 we're covering the bulk of the animals there. Unimak, we'd like  
20 to get a better look at, boy, no guarantee, FAA's going to put  
21 our airplane back in the air at some point in time here,  
22 hopefully, and we'll go from there.

23  
24          I think if there's any items with this survey, I think  
25 the survey went well. Again, we used Vernon Wilson from King  
26 Cove. He seems to be an outstanding eye for survey work.  
27 Melvin, the prior year was good. We had a little bit of  
28 difficulty, we had room for one more person that we couldn't seem  
29 to shake one loose because of the -- you know, we never know  
30 until we get the right break of weather who's going to be around  
31 and who's not. So we tried locally to get, you know, Fuller, Jim  
32 Blowers or somebody, but everyone was pretty occupied. Anyway,  
33 we managed to do it with Staff and Vernon and I think we got a  
34 good survey in. I think it really lends a lot of credibility to  
35 our, you know, two years in a row of similar results like this  
36 and to what may be going on.

37  
38          Where do we kind of go in the future here is, again, I'd  
39 like to emphasize we're planning on doing some productivity work,  
40 calving, you know, how many calves are produced, the survivorship  
41 of the calves after a month, two months. Get an idea of what  
42 that's looking like and hopefully we'll be able to get the  
43 bull/cow ratio work again and keep building on the information  
44 that we've gathered over the last few years.

45  
46          CHAIRMAN OLSEN: When do you anticipate that this might  
47 take place?

48  
49          MR. SIEKANIEC: Well, the bulk -- well, the calves  
50 typically, you know, June, June 1st, first couple of weeks. The

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1 first look is a post-calving survey of July sometime. Bull/cow  
2 ratio work usually comes in October period. So it's a continuing  
3 cycle of information gathering.

4  
5 I fully intend on having the Federal system setup for the  
6 August hunt period. I think, you know, we can do that, I'm  
7 confident we can do that.

8  
9 CHAIRMAN OLSEN: So there won't be anymore survey until  
10 the.....

11  
12 MR. SIEKANIEC: Unimak perhaps.

13  
14 CHAIRMAN OLSEN: Right.

15  
16 MR. SIEKANIEC: Right.

17  
18 CHAIRMAN OLSEN: Okay, that's all I was.....

19  
20 MR. SIEKANIEC: Right. The key to that is going to be  
21 hearing pretty much from the advisory board so that we get an  
22 idea of what the State's looking at, what they're entertaining on  
23 whether or not they're going to join on a harvest, you know, open  
24 a season of some sort or just what. And then, of course, we'd  
25 like to, you know, the June period of calves and if we can get a  
26 survival estimate in there that, you know, what may be happening,  
27 that always -- that just helps give you some confidence in what  
28 you are going to be saying for harvest estimates or harvest  
29 goals.

30  
31 CHAIRMAN OLSEN: I guess what concerns me here, how much  
32 time do we have to know what the State's going to do? We don't  
33 have that available to us?

34  
35 MR. SIEKANIEC: That concerns me as well. I mean that's  
36 why, you know, the advisory -- in each of these communities from  
37 what I understand from Dick, is that each community has an  
38 advisory committee -- Fish and Game Advisory Committee.

39  
40 MR. SMITH: Committee's, yeah.

41  
42 MR. SIEKANIEC: You know, setup already. So we need to  
43 funnel some of this information back at some point. I would like  
44 to think that Dick is probably doing that or working with that.

45  
46 CHAIRMAN OLSEN: Then your surveys don't include any of  
47 the animals on State lands?

48  
49 MR. SIEKANIEC: Oh, yeah. Oh, yeah -- oh, yes, our  
50 survey work encompasses the entire lower Peninsular area, even

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1 the corporation lands. Federal lands, corporation and State  
2 lands.

3  
4 CHAIRMAN OLSEN: I guess my fear again is, of course,  
5 like everybody else's, we don't want to get back in the same jam  
6 again.

7  
8 MR. SIEKANIEC: I agree.

9  
10 CHAIRMAN OLSEN: We're hardly above the threshold which  
11 allowed the hunt and it's still very sensitive.

12  
13 MR. SIEKANIEC: Um-hum.

14  
15 CHAIRMAN OLSEN: I don't know what tools we have  
16 available to ensure that there's not a State opening and puts us  
17 back in the same bottle again.

18  
19 MR. SIEKANIEC: Right. And from our -- my perspective of  
20 being the Federal lands manager down there is I will continue to  
21 work cooperatively with the State and communities to try and  
22 gather the information we need to keep this at a level where we  
23 have a sustained harvest opportunity. That was made very clear  
24 by community members from the last time we visited with them that  
25 they did not want to get into this, you know, swing of  
26 open/closed, open/closed sort of a scenario. So I think that the  
27 opportunity is there and hopefully we'll be able to continue to  
28 gather the information that will allow us to do it on a sustained  
29 basis, manage it.

30  
31 You know, what does that mean? It may mean it's a little  
32 more conservative at times than a few people may like, but you  
33 know, I think it's important that we work towards that goal of  
34 having the sustained opportunity.

35  
36 CHAIRMAN OLSEN: Has the public turned down the heat on  
37 you a little bit?

38  
39 MR. SIEKANIEC: Have they turned down the heat?

40  
41 CHAIRMAN OLSEN: A little bit?

42  
43 MR. SIEKANIEC: In which area? No, I think we have a  
44 good working relationship with the communities in the area, you  
45 know, a majority of the time.

46  
47 CHAIRMAN OLSEN: Um-hum.

48  
49 MR. SIEKANIEC: No, I'm not going to satisfy every  
50 person.



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1 CHAIRMAN OLSEN: Sure.

2

3 MR. SIEKANIEC: I've realized that.

4

5 CHAIRMAN OLSEN: I know things were getting to be hostile  
6 there for some time.

7

8 MR. SIEKANIEC: Yeah, no, I think we've worked through  
9 that. I think we've stuck with it. You know, we said, hey we've  
10 got concerns and we need to work through them and everybody's  
11 pretty much played and said, yeah, let's do it.

12

13 Last item of interest is relatively the caribou is the  
14 management plan discussion which we had moved from Tab W or later  
15 in the agenda up to here. I just wanted to make a comment on  
16 that. We had been recommending that we open the management plan  
17 and go to the communities and sort of take some public input and  
18 work through the process to see what elements of the plan people  
19 may want to have changed or dealt with. We know that there's  
20 some sort of grey areas in there that are vague. We don't have  
21 a good idea of when we say a limited harvest. You know, what  
22 does that mean? You know, that we would like to look at it from  
23 the standpoint of what would our recommendations mean and what  
24 type of productivity do we need to see in the herd before we  
25 start talking more liberal regulations. You know, it's not  
26 spelled out real clear. We had been encouraging Mr. Sellers to  
27 join us in the effort because the plan is involved with both  
28 State and Federal lands, we both set the harvest goals and agreed  
29 to them and we're both sort of cooperators in that effort and we  
30 would like to bring the communities in that. Mr. Sellers has  
31 declined to open the plan at this point in time. He says he  
32 wants to take a little bit of an opportunity to evaluate, you  
33 know, we've got two years of new data sort of and does this tell  
34 us that, you know, maybe we're on the right track now, doing  
35 these mid-winter surveys, whereas perhaps the thinking a year ago  
36 was that we needed to turn more towards the productivity measures  
37 and things.

38

39 So I guess what I'm saying is that's sort of on hold at  
40 this point in time. We are not going to entertain the opening of  
41 the plan for a revision at this point, we're going -- you know,  
42 the course is probably pretty well set for this year. Our winter  
43 survey efforts have told us that, hey, we have the numbers there,  
44 now we just need to sort out our harvest goals. A little more  
45 information. So that was easy to bump up to this section and  
46 kind of cover that.

47

48 CHAIRMAN OLSEN: Do you think it will pretty much -- at  
49 this time you anticipate it to model after this past year, as far  
50 as the -- I mean, from numbers and everything I see, that's what

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1 I.....

2

3 MR. SIEKANIEC: We're awful close. I mean our numbers  
4 are awful close.

5

6 CHAIRMAN OLSEN: And it sounds to me like those that  
7 needed the opportunity got the opportunity?

8

9 MR. SIEKANIEC: Yeah. I think there's some very positive  
10 things going on here. We had a bull/cow ratio that came in, just  
11 if you remember, right at the Federal Board meeting last year,  
12 sort of the day of, they released some very, very positive  
13 bull/cow ratio so, you know, we need to factor that into it and  
14 see where we come. You know, we're going to be able to look  
15 at it from the standpoint of there's -- we know there's some  
16 surplus animals. And you know, at what rate we want to go. And  
17 we'll try to decide, well, where do we draw that line of  
18 conservation in there so that we don't get to a point where,  
19 geez, now, our bull/cow ratios are down too much and you know,  
20 like we say, try to avoid that fluctuations in the open/close  
21 season.

22

23 CHAIRMAN OLSEN: Good. Go ahead, Della.

24

25 MS. TREMBLE: I think, you know, I know just speaking  
26 from King Cove, and I may be on -- and False Pass, too, is you  
27 know, there's caribou on the other side of Unimak, we're having  
28 a hard time getting at them.

29

30 MR. SIEKANIEC: Right.

31

32 MS. TREMBLE: On our behalf is we definitely could have  
33 used more caribou. There's a lot of people that didn't get them  
34 filled out because, you know, the sense of they just didn't --  
35 they kind of didn't like the whole idea, but there was some  
36 people that did, who were able to participate. And then there  
37 was a lot of people that did get left out of the drawing and, you  
38 know, like you say, if any of these others from Sand Point aren't  
39 going to be used, the people from King Cove can use them. They'd  
40 sure appreciate it.

41

42 MR. SIEKANIEC: Yeah. I think there's a general feeling  
43 that, you know, ideally there would be an additional number of  
44 caribou. I think this will -- what would help is, one, the c&t  
45 change for Sand Point, King Cove, and False Pass to be able to  
46 utilize the Unimak Island. You know, because a lot of people  
47 said, well, we're down there fishing and you know we finish up in  
48 late July or so and it would be a good opportunity to harvest  
49 caribou off of the island. And with that number of permits that  
50 were there that look like they're going to go not utilized, that

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1 August period should be a good period to help relieve some of  
2 that. Again, the August period, also in our area would even help  
3 some people just be able to get them at a more appropriate time  
4 for their use. So I think we're continuing to move in the right  
5 direction, yeah, maybe there will be opportunity for some  
6 additional permits, too. You know, we'll see. We'll see what's  
7 coming at us.

8

9 MR. EDENSHAW: Greg, one question, in regards to -- you  
10 stated that for the '98, for the fall and through '99 there will  
11 be some caribou taken, a hunting season this year on Federal  
12 lands?

13

14 MR. SIEKANIEC: Yeah. I'm confident that there will be  
15 a hunting season on Federal lands. What I said there was I was  
16 not -- I'm very reluctant to assign a number to it yet as to what  
17 we're going to go for for a harvest goal.

18

19 MR. EDENSHAW: Okay. So then the Council could expect  
20 to, whether it be you or else the Council would have to address  
21 that through a special action request, correct?

22

23 MR. SIEKANIEC: That's correct. I fully, you know, feel  
24 that at some point in the near future we will be able to make a  
25 recommendation to the subsistence office as to what we feel a  
26 harvest level should be. And then I would fully expect, I think,  
27 Tom, the Subsistence office would then take that and formulate  
28 some type of a proposal to move forward to the Board with or  
29 would you just prefer I did that? However we do it, we just.....

30

31 MR. BOYD: We'll work in corporation with the Refuge to  
32 make sure the Board has that in front of them.

33

34 MR. SIEKANIEC: Right. And in time for an August type  
35 season.

36

37 MR. EDENSHAW: And then is there a way for the Council to  
38 -- or some of these communities, you know, you pointed out that  
39 Sand Point hasn't gone out and taken any caribou, so I think some  
40 options that the Council or some of these communities may take a  
41 look at is, I think at one point they've just issued registration  
42 permit -- you know, first come first serve until a quota is  
43 reached, is that another option for them to consider instead of  
44 the allocation we did by communities?

45

46 MR. SIEKANIEC: Yeah, that would be another option.

47

48 MR. EDENSHAW: See that's another option you can look  
49 into Della in terms of.....

50

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1 MR. SIEKANIEC: The concern there is, you know, my  
2 concern is I'd like to see some demonstrated reporting, otherwise  
3 we have no means of tracking that. And you know, so, we're still  
4 having a little bit of a difficulty getting the reporting sort of  
5 to kick in, to come through. You know, and that's a concern when  
6 we get a call saying, boy, you know, we could really use a bunch  
7 more permits and when you go back and look, well, it doesn't look  
8 like anyone's killed any yet. You know, we have a -- there's  
9 that void in there, you know, that we have to address and that's  
10 what the Federal Board's likely to look at, you know, and  
11 different people that are looking at the overall big picture of  
12 it.

13  
14 CHAIRMAN OLSEN: It's not a new problem I don't suspect.

15  
16 MR. SIEKANIEC: It is not.

17  
18 CHAIRMAN OLSEN: But.....

19  
20 MR. SIEKANIEC: I think we have some things in place that  
21 are going to help us out we just need to follow through with  
22 them.

23  
24 CHAIRMAN OLSEN: Did you tell them they had to report  
25 back to the Federal agency?

26  
27 MR. SIEKANIEC: Oh, yeah, yeah, it was all part of  
28 the.....

29  
30 CHAIRMAN OLSEN: You know, instead of reporting to each  
31 other.

32  
33 MR. SIEKANIEC: .....when you sign your little  
34 application you're sort of making an agreement to the things on  
35 the back of it, which says, I will report within 10 days, you  
36 know, a kill, and things such as that.

37  
38 UNIDENTIFIED VOICE: That's something that you picked  
39 out, right?

40  
41 MR. SIEKANIEC: Wouldn't it be Aleut.

42  
43 UNIDENTIFIED VOICE: It should be.

44  
45 MR. LUKIN: I've got a couple of question and maybe the  
46 State could answer or whoever. But is there a sport hunt allowed  
47 down there?

48  
49 MR. SIEKANIEC: No.

50

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1 MR. LUKIN: No.

2

3 MR. SIEKANIEC: There has been no sport hunt allowed  
4 since the season was closed in '93.

5

6 MR. LUKIN: Okay. And the other question I have is, two  
7 years ago, the meeting I made down there on the Aleutian chain,  
8 there was some concern about feed.

9

10 MR. SIEKANIEC: Yes, habitat.

11

12 MR. LUKIN: Yeah, what's the latest on that?

13

14 MR. SIEKANIEC: We still have some habitat concerns that  
15 we think is probably one of the limiting factors as to why the  
16 herd is either, you know, in a reduced or a stable sort of a  
17 mode. You know, the combination, I'm sure of the habitat, the  
18 calf survival is probably linked to that, you know, the poor  
19 nutrition status of some of the females as they go into the  
20 calving period. Predation is probably somewhat of a factor, you  
21 know, they all play together when you get down to a point of  
22 reduced herd size and when then they start to recover and come  
23 out of it. It takes the habitat a period of time to sort of come  
24 out of that and then the herd typically follows that. You know,  
25 so that's some of the questions we don't have a good handle on as  
26 to what level that is, like what's the carrying capacity for  
27 caribou in our Southern Peninsula area, we do not know. We did  
28 do some vegetation work, a very brief look at, you know, what we  
29 have down there relative to biomass and a little bit of that, but  
30 just a very cursory look.

31

32 So yeah, we still have some of those concerns.

33

34 CHAIRMAN OLSEN: Is there any other questions for Greg  
35 here?

36

37 MR. SIEKANIEC: Okay.

38

39 CHAIRMAN OLSEN: Thank you very much.

40

41 MR. SIEKANIEC: Well, I know you're pressed for time so  
42 if you had any other questions relative to the management of  
43 Izembek or anything else, I would certainly entertain them  
44 otherwise I don't want to take up too much of your time. I think  
45 we covered the main thing that the Board has been interested in  
46 in the past. So if you have any other questions we'll take them,  
47 if not, we'll sign off.

48

49 CHAIRMAN OLSEN: Thank you.

50

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1 MR. SIEKANIEC: Thank you. Thank you for your time.

2  
3 MR. CRATTY: Good job, Greg.

4  
5 CHAIRMAN OLSEN: I guess next on our agenda here is the  
6 Kodiak Island National Wildlife Refuge, and Mr. Stovall I believe  
7 is the man with the information on this.

8  
9 MR. STOVALL: Yes, this is Robert Stovall from the Kodiak  
10 National Wildlife Refuge. I'd like to thank you for letting me  
11 address you. I'll just briefly go over, I've kind of given a  
12 report already to the Council members and I'll just go ahead and  
13 hit the highlights and then if you have any questions afterwards,  
14 just go ahead and give me a yell and I'll see if I can answer  
15 them. If I can't, then I guess we'll just have to get back.

16  
17 The handout I gave to Council members is broken into  
18 three sections, biological inventories being done on the Refuge  
19 at present, the public use activities, and the land acquisition  
20 activities. In the ongoing biological inventories and surveys  
21 and studies that are being done on the Kodiak Refuge include, for  
22 brown bear, intensive area surveys. They're used as a population  
23 density indicator. They're completed annually. In 1997, the  
24 Tara Bay area was completed. And then in 1998, the Sturgeon  
25 River area will be completed this year. These surveys are done  
26 in specific areas and they're used just as a density indicator of  
27 brown bears in the area.

28  
29 In conjunction with those they do stream surveys on index  
30 streams on the Refuge. About 10 river systems I've listed, some  
31 of them there, not all of them. And there's -- we continue to  
32 work with Koniag Regional Native Corporation to do bear viewing  
33 studies on Thumb Lake and the Karluk Lake areas. This is the  
34 third year of that study. We also did Uyak Bay area this year,  
35 last two years and that study's been more or less completed.

36  
37 I'll go ahead and preface the rest of this discussion  
38 with if you want to have the actual numbers, feel free to give  
39 the Refuge a call. I'll try to be very brief with numbers  
40 because these are surveys that I'm not completing. The ones that  
41 I am completing I've got tables in the back for. The bear  
42 population on Kodiak is considered stable with about 2,500 to  
43 2,700 animals on the Refuge.

44  
45 Next, we look at waterfowl and seabirds and right now  
46 there's -- the harlequin ducks, a specific survey being done for  
47 them -- has been being done for the last four years on the west  
48 side in the last -- this year we will be doing east side surveys.  
49 And they are more or less coastal surveys, and there's been some  
50 other monitoring of the genetic population and things of that

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1 nature that have gone on. But the ongoing part of it is just  
2 monitoring where the population is located at and their numbers  
3 along the Refuge areas.

4  
5 We do waterfowl production surveys. And they're  
6 completed in different drainages, once again, more or less like  
7 the area -- the intensive area surveys being done for bears.  
8 Like I said, they've moved in the different areas. The Olga Bay  
9 area was done last year between Olga Bay and Secolia Lagoon.

10  
11 And the last major survey that we do is the seabird  
12 winter surveys. They're done by boat again and they're completed  
13 annually, usually in the month of February. For harlequin ducks  
14 there is -- the population status is considered stable. For the  
15 waterfowl production surveys, there's been a -- due to lower  
16 water levels, the population -- the numbers that we get have been  
17 lower than they have in the past. And that's due in large part  
18 to what the water levels are doing. If there's not enough water  
19 then you don't have enough successful productivity. In '97 we  
20 had a pretty dry year during the time that waterfowl are nesting.  
21 And that probably led to less waterfowl being produced.

22  
23 The seabird status is considered stable. And of course,  
24 seabirds takes in a lot of different species, some of those  
25 species are indeed slightly increasing, some of them are slightly  
26 decreasing. So overall they're more or less stable.

27  
28 CHAIRMAN OLSEN: I guess, excuse me, but ignorance.  
29 Waterfowl is different than seabird? Waterfowl is then you're  
30 looking at rivers?

31  
32 MR. STOVALL: Yeah. There's a more of an orthological  
33 bird type of difference. But waterfowl are -- at least from the  
34 waterfowl production surveys are more inland versus seabird  
35 surveys which are more marine orientated surveys.

36  
37 MR. CRATTY: Waterfowl, fresh water. Seabirds are salt  
38 water.

39  
40 MR. STOVALL: For the most part. And then seabirds also  
41 take in things like guillemots and harlequin -- any waterfowl  
42 that's considered a marine waterfowl like harlequin ducks are  
43 counted during those surveys. Also during the seabird surveys we  
44 also keep track of any marine mammals in those areas because it's  
45 all a marine survey.

46  
47 So that's kind of a survey that takes in a lot of  
48 different things and we keep track of those populations also.

49  
50 Bald eagle surveys are done annually in specific areas

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1 and then every five years we do an island wide coastal aerial  
2 survey, nesting survey. The last one of those was completed in  
3 1997, and we had approximately 460 active nests. And the bald  
4 eagle population has been increasing over the last 15 to 20  
5 years, basically in a nice level straight line.

6  
7 For fisheries we do aerial index stream surveys,  
8 concentrating on chum, coho and the minor sockeye salmon systems.  
9 And then in conjunction with that, this year, we are going to put  
10 in a weir in Sturgeon River to try and calibrate or make sure  
11 that our aerial surveys that we're doing are giving us the right  
12 numbers we think they should be giving. So we'll actually have  
13 a weir similar to the weirs that the ADF&G have done around the  
14 island and similar types of counts.

15  
16 The other thing that has been started and that's ongoing  
17 is a genetic study on -- a non-lethal genetic sampling and study  
18 on steelhead and chinook to see whether or not they are  
19 genetically inclined to be in one river system or another, the  
20 stocks that are there. And they've got some preliminary results  
21 on the steelhead and they're still getting the chinook samples  
22 measured.

23  
24 Where my interest is primarily is the Sitka black-tailed  
25 deer and we complete winter mortality studies and this last year  
26 we completed brow surveys in two of our wintering areas. In the  
27 Chief Cove area and the Uganik Island. We're trying to get a  
28 handle on what type of -- we're looking at the brow surveys to  
29 see what types of effects they may or may not be having, the deer  
30 may not -- may or may not be having in the habitats that they are  
31 in and especially the wintering areas where they could be  
32 concentrated and have the most effects overall. It's a baseline  
33 study and we're going to try and expand to the other -- all the  
34 wintering monitoring areas that we have that we've been doing.

35  
36 So far the information -- I have put some summaries for  
37 the mortality surveys and the brow surveys in your report, but  
38 primarily the major brow species in the wintertime and this is  
39 winter brows that we're looking at are the willows and your  
40 elderberries, and we identified about eight different species.  
41 Two species of willows were identified within that eight and the  
42 willows were uniformly browsed to a point where separating them  
43 probably won't do us any good, so we'll probably be lumping them  
44 together all into one category of species when we do the rest of  
45 the surveys. That will let the surveys happen a little bit  
46 faster, a little bit quicker and we'll be able to cover more area  
47 that way.

48  
49 We're going to try and expand some of our survey work to  
50 the Afognak Island unit, over in the Blue Fox Bay area and over



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1 toward Hidden Lake. And we'll probably try and look at elk sign  
2 there and see what exactly the numbers are that are -- that we  
3 have and that will probably include doing elk and currant surveys  
4 and I envision doing transect -- line transect surveys where  
5 we're looking at any type of elk sign that we can find, that  
6 being pellet groups, tracks, any mortalities or the type of  
7 browsing that elk may be doing if we can separate deer from elk.  
8 And we'll probably do pre hunting aerial surveys in the Afognak  
9 Island units, we'll have an idea what the population is before  
10 the first subsistence hunt happens, if it -- if and when it does  
11 happen.

12  
13 MR. LUKIN: Robert, may I ask you a question?

14  
15 MR. STOVALL: Sure.

16  
17 MR. LUKIN: Okay. You just mentioned that you were going  
18 to do those aerial surveys, will that information be available  
19 for the permit holder, you know, once the permits are issued?

20  
21 MR. STOVALL: I don't -- it's -- I don't think it's --  
22 would not be available. I guess the idea would be that you'd  
23 have to -- you'd have to probably call up and find out what the  
24 numbers are that we found. I don't know if we'll give specific  
25 information as to what elk herds were where in the unit, but  
26 we'll probably tell you that there are elk in the area and the  
27 relative numbers that you can find in the unit. And that's  
28 probably the best we would be able to do. This is more -- this  
29 is probably more for our purposes, too, so we can start  
30 monitoring the hunt right on the first year and see what's there  
31 and what's taken and then go from there and make sure we maintain  
32 a herd at least at the present stable state that it's in.

33  
34 For any of these surveys that I mentioned, if you have  
35 more questions about specifics about each of the surveys, my  
36 recommendation is to give the Refuge a call, and we'll try to get  
37 the people who actually do the surveys to give you those numbers.  
38 A little bit better than me giving it, not being exactly sure.

39  
40 For the public use and subsistence uses on the Refuge,  
41 the designated hunter program, we had a total of 37 subsistence  
42 -- designated hunters this year, in '97, including three from Old  
43 Harbor, and one from Larsen Bay. And they harvested  
44 approximately 130 deer from the 20 or so who reported back. And  
45 it seems like every year there's a little fewer designated  
46 hunters. But that program is still out there and we don't  
47 foresee it ending any time soon. So new permits will come out in  
48 August and be distributed to all the villages and be available at  
49 the Refuge office as in the past.

50

00106

1           We had our first fall season and our first spring season  
2 last year for subsistence brown bear hunting. For this fall  
3 season that just happened in December, we had about five hunters  
4 participating from three villages. One from Akhiok and three  
5 from Larsen Bay and one from Old Harbor. And two bears were  
6 harvested from Larsen Bay hunters, unfortunately one of the bears  
7 may have taken -- or was taken off of Federal lands, and is  
8 underneath prosecution by the State for that.

9  
10           MR. CRATTY: Off of State lands.

11  
12           MR. STOVALL: It was taken on State lands.

13  
14           CHAIRMAN OLSEN: Where was that taken?

15  
16           MR. CRATTY: Larsen Bay.

17  
18           MR. STOVALL: It's in Larsen Bay, north of Brown's  
19 Lagoon. And they're trying to forestall that from happening  
20 again. The maps that we produce and give to any hunter will be  
21 a hell of a lot better. So there we'll decrease that confusion  
22 as much as we possibly can, of course, there's no lines on the  
23 ground.

24  
25           CHAIRMAN OLSEN: Well, was it even in close proximity, I  
26 mean I'm just trying to.....

27  
28           MR. STOVALL: Well, I don't have all the facts at my  
29 disposal and you would have to talk to the State because they're  
30 the ones who recognized it. But it appeared to be on -- near the  
31 coastline instead of away from the coastline, which is where the  
32 Federal land was located at.

33  
34           MR. CRATTY: Mr. Chair, I just -- you know, I'd like you  
35 to make it clear, too, what I understood you get one bear in the  
36 fall and one bear in the spring for Old Harbor?

37  
38           MR. STOVALL: No. You can get both bears in the fall,  
39 but then you would have none to get for the spring.

40  
41           MR. CRATTY: Okay.

42  
43           MR. STOVALL: Or you can get both bears in the spring but  
44 then you'd have none to get in the fall.

45  
46           MR. CRATTY: Because I got two hunters telling me they  
47 didn't get their bear -- they didn't get one of the bears this  
48 fall so they're going to shoot two in the spring.

49  
50           MR. STOVALL: No, no, they'll only be issued one permit.

00107

1 No, they'll be issued -- if they didn't get one in the fall, so  
2 they still have two opportunities. There will be two permits  
3 issued.

4  
5 MR. CRATTY: So they could get two bears this spring, but  
6 then they will be done for a year?

7  
8 MR. STOVALL: Yes. And then the next permits will come  
9 out in August again or more probably in November I guess and then  
10 you'll have another opportunity to get two bears again for the --  
11 during either the fall or the spring or both hunt time frames.  
12 So those folks who were not successful -- for instance, Larsen  
13 Bay, they still have -- that third hunter can still go out and  
14 try and get that last bear this spring. And if he's not  
15 successful, then he's not successful and they'll have another  
16 opportunity in the fall.

17  
18 MR. CRATTY: Oh, I see. So the guy that wasn't  
19 successful this winter can get his bear this spring and then  
20 they'll be still eligible for another guy to get one this fall?

21  
22 MR. STOVALL: Yeah. Because that will be a new  
23 regulatory year. The regulatory year runs from July 1st through  
24 June 30th for hunts.

25  
26 MR. CRATTY: Okay.

27  
28 MR. STOVALL: Okay, any other questions on that? Just  
29 for information that you might not know, they did harvest two  
30 bears last spring, which was the last season, not this coming  
31 spring. One from Old Harbor and one from Larsen Bay. That was  
32 information you knew though at your last meeting.

33  
34 I'll just read this, there is new Federal commercial use  
35 permit regulations that have been written and will probably be  
36 implemented within the next two years and it effects all the  
37 competitively issued permits including the sport fish and big  
38 game guiding permits. This winter the Refuge manager and myself  
39 had a series of public meetings about those guiding regulations  
40 to get public comments on them. And we visit every village  
41 except for Old Harbor, we haven't had a chance to get there and  
42 there's other things that he wanted to do there. During that  
43 time frame we talked about those sport fish guiding regulations  
44 and I discussed and gave an update on the Federal subsistence  
45 program for all the villages. So that was a good opportunity  
46 to.....

47  
48 MR. CRATTY: When are you planning to come to Old Harbor?

49  
50 MR. STOVALL: I'm not sure. Jay is going to be out of

00108

1 state practically the whole month here, so he'll probably try to  
2 get there in April.

3  
4 MR. CRATTY: Well, would you make sure that you let me  
5 know or leave a message with my wife.

6  
7 MR. STOVALL: Okay, no problem. This year we were funded  
8 to do public use surveys. And that means we're going to be going  
9 on the Refuge and do aerial surveys and ground contacts of folks  
10 using the Refuge for whatever reason, rafters, fishermen,  
11 hunters, et cetera.

12  
13 And this last item for public use and subsistence uses on  
14 the Refuge, during the villages -- and this probably ducktails in  
15 with what Tom Eley was saying, there is a desire for folks and we  
16 feel that we wanted to make sure that they're aware of the  
17 Migratory Bird Treaty Act changes that are occurring. We want to  
18 try and gather information, in part, to probably help with the --  
19 what did you refer to it as, a management team?

20  
21 MR. ELEY: Management organization.

22  
23 MR. STOVALL: The management organization. We're going  
24 to try and get it to the villages and try to get an idea of what  
25 type of harvesting of waterfowl and migratory birds and that  
26 includes everything, including egging that's gone on to get some  
27 baseline information to give to those -- the management  
28 organization.

29  
30 MR. CRATTY: Is that going to -- I'm just trying to see  
31 how you're going to get people to tell you that they used to eat  
32 emperor geese and it's illegal to eat them now, they just ain't  
33 going to tell you.

34  
35 MR. STOVALL: Well, we're going to do what the State has  
36 been able to do in the past, Craig Mishler could probably explain  
37 this a little better.

38  
39 MR. CRATTY: I mean it's a subsistence issue we got to  
40 look at.

41  
42 MR. STOVALL: Right. And I understand that. It's going  
43 to be a survey where there's no names written down on it, but  
44 we're going to try and get each household to fill in the forms.  
45 And it's still in the development stage of what the forms will  
46 look like, it will be probably similar to what you've seen in the  
47 past come through with harvest surveys.

48  
49 MR. CRATTY: Yeah. Because I've seen some of the surveys  
50 where they scared the people more.

00109

1 MR. STOVALL: My objective is not to scare the people  
2 more, my objective is to try to get as much information that I  
3 can so that a regulation can be made that will be beneficial for  
4 the subsistence users.

5  
6 MR. CRATTY: Um-hum.

7  
8 CHAIRMAN OLSEN: So we're just saying, trust the  
9 government. That's what you're telling us.

10  
11 MR. STOVALL: I'm here to please you. Anyway, and then  
12 finally the Kodiak Summer Science Camp had a successful second  
13 year last year. And they'll probably be expanding to Old Harbor  
14 as I understand it. And once again, any of this information can  
15 also be checked at the Refuge.

16  
17 Finally, land acquisitions are continuing. Some of the  
18 final large parcels have been -- the final payments have been  
19 made and there have been acquisitions of small parcels going on  
20 and/or allotments. Conservation easements that have been part of  
21 these agreements for Akhiok-Kuguyuk and Old Harbor are starting  
22 to become more active with the conservation easement plans being  
23 developed. And negotiations are ongoing with Koniag Incorporated  
24 for the Upper Karluk River and the Sturgeon River areas.

25  
26 I guess that's all I had to discuss with you folks. If  
27 you have any questions I'll try and answer them.

28  
29 CHAIRMAN OLSEN: I guess one of the questions I have I'm  
30 not aware of is where we might get information on charts, maps,  
31 showing exclusive hunting rights for like bear? Different lands  
32 that different guides have for exclusive hunting, I guess. I  
33 have no idea what these lands consist of.

34  
35 MR. STOVALL: Um-hum.

36  
37 CHAIRMAN OLSEN: Is there anything -- charts available to  
38 show that these different lands that are exclusive hunting rights  
39 to different guides?

40  
41 MR. STOVALL: I do believe ADF&G has -- or at least for  
42 bear, has hunting -- bear hunting guide areas delineated on maps.  
43 We have the same maps. And I think those are delineated -- and  
44 I don't know if there's any ADF&G folks here that could help me,  
45 but when they come out in May with the drawing permit  
46 applications, I think those are delineated in there, the hunt  
47 areas. I think that's another possible source of where these  
48 areas are located at, and those areas are mirrored on the Refuge.

49  
50 CHAIRMAN OLSEN: Is that.....

00110

1 MR. STOVALL: And then each guide -- guides may have one  
2 or two of those areas, depending on.....

3  
4 CHAIRMAN OLSEN: But these are on Federal public lands,  
5 some of these?

6  
7 MR. STOVALL: Yes.

8  
9 MR. CRATTY: A lot of them are.

10  
11 CHAIRMAN OLSEN: But that's unconstitutional that we  
12 don't have equal access, I don't know?

13  
14 MR. STOVALL: You do have equal access though.

15  
16 MR. CRATTY: Most of them are.

17  
18 MR. STOVALL: You have -- everyone has equal access. If  
19 you drew a drawing permit you can go where your drawing permit is  
20 that you drew. Those areas are clearly delineated. The guides  
21 can't stop any individual from going to their area or their area  
22 to hunt bear because they drew a permit for that area. Guides  
23 use their permits for their hunters in their areas.

24  
25 CHAIRMAN OLSEN: Right. Then the subsistence bear  
26 permit, how is that -- is there areas they have to harvest.....

27  
28 MR. CRATTY: No.

29  
30 CHAIRMAN OLSEN: .....the bear?

31  
32 MR. CRATTY: Just on Federal lands.

33  
34 MR. STOVALL: No. It's got to be on Federal land. And  
35 when I hand out maps, I hand out maps of suggested areas to hunt,  
36 usually areas near your village because of the mere fact that  
37 that would be the most likely places you'd go to hunt. Not a lot  
38 of people are flying around to do their bear hunting for the  
39 subsistence hunters, at least, so far the ones who have gone  
40 hunting have used a skiff to go hunting. So that's -- and  
41 there's suggested areas right now, we can't tell you where to go  
42 hunt.

43  
44 CHAIRMAN OLSEN: Do you happen to know how many  
45 violations were handed out this year for the bear?

46  
47 MR. CRATTY: One.

48  
49 MR. STOVALL: Well, you mean subsistence violations  
50 or.....

00111

1 CHAIRMAN OLSEN: Total.

2

3 MR. STOVALL: Oh, no. I won't even wager a guess at  
4 that, not even close. All I know is that the one violation where  
5 the hunter had taken the bear that was not on Federal land, and  
6 because it wasn't taken on Federal land, it wasn't a violation of  
7 our regulations.

8

9 MR. LUKIN: Robert, was that person aware that he was not  
10 on Federal lands when he shot the bear?

11

12 MR. STOVALL: Well, we had given him maps and it's not as  
13 clear to me as to who exactly did the shooting, why they did the  
14 shooting, so on and so forth. But it suffices to say the  
15 troopers caught this person shooting the bear and it wasn't on  
16 Federal land that they did the shooting at and we double checked  
17 and triple checked, they did, we did, and came up to the same  
18 conclusions.

19

20 MR. LUKIN: That wasn't a case of the bear being shot and  
21 not dying on.....

22

23 MR. STOVALL: No.

24

25 MR. LUKIN: I mean it's true, it's.....

26

27 MR. STOVALL: Yeah. I know exactly what you mean, and  
28 no, it wasn't that case.

29

30 MR. LUKIN: .....chase him down awhile to drop him.

31

32 MR. STOVALL: No, whether they purposely shot the bear  
33 there because he knew it was not on Federal land, I don't -- I  
34 don't know, you know. I would only guess that that's not what  
35 happened, that they did not know it was not Federal land and shot  
36 the bear, simple as that.

37

38 MR. CRATTY: And I think you guys give out -- I think the  
39 people that live in the villages, you give out enough information  
40 that's adequate that they should know where Federal land and  
41 State land is. There shouldn't be no excuses.

42

43 UNIDENTIFIED VOICE: It's difficult.

44

45 MR. STOVALL: It's changing all the time, because of the  
46 acquisitions, but we are trying to stay on top of those  
47 boundaries so that we don't have this problem again.

48

49 So anyone else have any questions?

50

00112

1 CHAIRMAN OLSEN: Hearing none, thank you very much.

2  
3 MR. STOVALL: Alrighty.

4  
5 CHAIRMAN OLSEN: Well, I see it's only 2:00 p.m. As I  
6 look at our agenda, I don't see a whole lot -- well, who was  
7 going to give a report from ADF&G?

8  
9 MR. EDENSHAW: Mr. Chair, excuse me. I included that on  
10 the agenda and I wasn't sure if any of these people from the  
11 Kodiak -- because I was notified by someone in our office from --  
12 through Liz Andrews that some people from the State would attend,  
13 so I was not sure if they were going to give any presentations  
14 regarding fisheries or reports on surveys or anything on fish and  
15 wildlife here in the region.

16  
17 MR. MISHLER: I'd be happy to talk about what we're doing  
18 just to give you an update.

19  
20 MR. CRATTY: Um-hum.

21  
22 MR. MISHLER: I'll try to make it brief in light of the  
23 late hour; is it really only 2:00 o'clock? I guess I can talk  
24 about a number of initiatives that we've undertaken in the past  
25 year. We're now on our sixth year of doing subsistence marine  
26 mammal surveys in 60 coastal communities which includes all the  
27 Kodiak communities, King Cove, Sand Point included, False Pass,  
28 and everywhere where we have known that there has been an active  
29 harvesting tradition. And those numbers have been fairly stable  
30 over the first five years. It's quite amazing when you look at,  
31 there's fluctuations within regions and between communities and  
32 within communities from year-to-year, but our total statewide  
33 estimates seem to balance out, be about the same.

34  
35 There's been somewhat of a decline in the harvest of  
36 stellar sea lions, which may be related to the population  
37 decline, in fact, in the past year the stellar sea lion has been  
38 listed as an endangered species. But one thing I guess I would  
39 like to point out is that the fact that the stellar sea lion is  
40 an endangered species has not limited the Native opportunity to  
41 hunt. There's still no season or bag limit on taking sea lions  
42 as long as they're taken in a non-wasteful manner, which means  
43 salvaging the meat. So we have had some concerns. I had a call  
44 from one of our surveyors up in Togiak, who said that elders were  
45 upset, they thought their harvest information was being used to  
46 classify the animal as an endangered species and therefore they  
47 didn't want to participate in the surveys. And I was going to  
48 call this man, but I was told that Yup'ik is his first language  
49 and he wouldn't understand so I wrote him a letter and hopefully  
50 somebody could read the letter and translate it for him.



00113

1 But what determines the status of whether an animal like  
2 sea lion or harbor seal or fur seal or any of them are threatened  
3 or endangered is based on primarily the population estimates that  
4 are done by the biologists, not on subsistence harvest. The  
5 biologist, as you know, when they estimate populations and they  
6 do this around Kodiak every year, every fall, they do fly overs  
7 of the major haulouts and rookeries. They fly over Marmot  
8 Island, they fly over Tagedik, in fact, Tagedik, they actually  
9 have on ground people there all summer to make counts of the  
10 animals. But it's those populations -- and when they do the fly  
11 over, of course, they take aerial photographs and when they get  
12 the photographs, they do a series all along the beach overlapping  
13 photographs and they take those back and they blow them up into  
14 great big prints and then somebody takes a pencil and starts  
15 counting animals. And it's based on those counts and those  
16 trends from year-to-year that the animals viability of a species  
17 is evaluated. And it's not based on subsistence reports of how  
18 many seals or sea lions were taken in a community in a given year  
19 or in a series of years.

20  
21 So I just wanted to lay that, perhaps, missperception to  
22 rest because the Native take as we have determined it, of the  
23 stellar sea lion is about one percent or at the most two percent  
24 of the total estimated population, which is right now about  
25 17,000 sea lions. So people shouldn't be afraid to participate  
26 in the surveys because it really isn't hurting them but it does  
27 give the biologists an opportunity to develop population models.  
28 They need to identify all the sources of mortality that they can  
29 in order to determine how many -- they have to estimate -- the  
30 productivity, how many animals are born each year, how many die.  
31 They have a pretty good idea now from the observer program about  
32 how many are taken in incidental take from the trawlers, which is  
33 fairly -- they're estimating that's 30 animals or less now a year  
34 and it used to be much higher. But anyway, they factor in all of  
35 these things, the human take, the accidental take -- or  
36 incidental take and, of course, they have no idea how many sea  
37 lions die every year from old age or disease or knock themselves  
38 silly on the rocks or whatever. There are lots of ways sea lions  
39 can die besides from subsistence takes. But it does give -- it  
40 is an important piece of information that is used by National  
41 Marine Fisheries Service to develop their population models.

42  
43 We think that the information that is gained from these  
44 surveys is important because it validates the traditional and  
45 customary use of the species, and the dependence of the  
46 communities on those species, and it validates the culture. And  
47 that's the importance of it to us at the Division of Subsistence  
48 and, we think, to the communities. So that program is still  
49 continuing and it's going on almost as we speak although we've  
50 just finished a round of surveys and we'll be compiling that in

00114

1 the next few months, and every year we put out an annual report  
2 and shows what each community got. It shows the seasonality,  
3 what time of year people hunted and it has an age and sex  
4 breakdown also. So that's something that we're continuing.

5  
6 Another thing that we've been doing is what are called  
7 community ethnographies and this was money that was given to us  
8 through a cooperative agreement with U.S. Mineral Management  
9 Service. And they were particularly interested in the  
10 communities that were impacted by the Oil Spill. So community  
11 ethnographies are being done in Prince William communities, Lower  
12 Cook Inlet and out here in Kodiak. And I've been doing research  
13 on particularly two of them, Old Harbor and Ouzinkie, and to do  
14 that research I have been compiling quite a bit of historical  
15 information from written records and photograph records and also  
16 in interviewing elders in each of those communities. And I think  
17 I have 12 tapes now, focused interviews with elders. Trying to  
18 understand how subsistence has changed over the period of their  
19 lifetimes and I've even -- in the 10 years I've been working for  
20 the Division I've seen some major changes in the economy of the  
21 communities. But these are due to be put out in draft this  
22 summer and hopefully will be published as technical papers, too.  
23 So that's another project.

24  
25 And one that is probably going to come on-line this fall  
26 is a request that we had from the Exxon Valdez Oil Spill Trustee  
27 Council to do a 10 year harvest assessment in certain selected  
28 communities to determine what subsistence is like today, 10 years  
29 after the Oil Spill. And the communities that we felt were  
30 hardest hit in the Kodiak area in 1990 when we did our first  
31 round of surveys after the Oil Spill were Ouzinkie and Larsen  
32 Bay, so we're proposing to do harvest surveys this fall with the  
33 Council approval, of course, which we always do, and local hire,  
34 it's part of our practice also. And we will then have a kind of  
35 rearview mirror to look at, what subsistence is like today and  
36 what it was like 10 years ago, right after the Oil Spill. If  
37 there's been long-term shifts in harvest quantities or species.  
38 We're quite aware that a lot of people no longer eat clams  
39 because they're worried about PSP in clams, but that seems like  
40 it all goes and back started with the oil -- the impact of oil on  
41 clams and mussels and so the initial fear of contamination of  
42 clams from oil seems to have persisted in a lot of communities  
43 even after the oil didn't test out to be significant.

44  
45 But those are some of the things that we're doing at Fish  
46 and Game in the Kodiak area. And I don't know if you have any  
47 questions.

48  
49 CHAIRMAN OLSEN: You spoke of subsistence on marine  
50 mammals, kind of in the dark I guess. I didn't realize we had a

00115

1 subsistence on marine mammals?

2

3 MR. MISHLER: I think it was two years ago that the  
4 Marine Mammal Protection Act was reauthorized and in that Act  
5 there is an exemption for Alaska Natives. That only Alaska  
6 Natives are allowed to hunt and harvest marine mammals.

7

8 CHAIRMAN OLSEN: I think that was always.

9

10 MR. MISHLER: Yeah, but this was reaffirmed.

11

12 CHAIRMAN OLSEN: And what's the process for taking then  
13 of marine mammals under the Act?

14

15 MR. MISHLER: The process is just go get them. There  
16 really isn't -- as I say there's no enforcement except if there's  
17 a report of or observation of wanton and waste. If an animal is  
18 being taken just for, you know.....

19

20 CHAIRMAN OLSEN: But that's not -- well, I'm just trying  
21 to put it all in perspective here as far as.....

22

23 MR. MISHLER: If it's just for target practice or  
24 something like that.....

25

26 CHAIRMAN OLSEN: .....the management of them, you know,  
27 the marine mammals, of course, there's not any State  
28 jurisdiction, is it?

29

30 MR. MISHLER: No.

31

32 UNIDENTIFIED VOICE: You mean for the.....

33

34 CHAIRMAN OLSEN: Right.

35

36 MR. MISHLER: But we as -- again, working under  
37 cooperative agreement with the Federal management agency which is  
38 the National Marine Fisheries Service we do a lot of their  
39 research and this has to do with both in subsistence research.  
40 And also in doing the population estimates in our wildlife  
41 conservation division there are biologists that specialize in  
42 marine mammals, Cathey Frost and Lloyd Lowery are two of them and  
43 Bob Small, now, is the harbor seal coordinator for this area.

44

45 CHAIRMAN OLSEN: Because most of these marine mammals  
46 have gone into different commissions (ph)?

47

48 MR. MISHLER: Yes.

49

50 CHAIRMAN OLSEN: And that would just.....

00116

1 MR. MISHLER: In two weeks.....

2

3 CHAIRMAN OLSEN: .....how it all tracks together,  
4 Federal, State, what have you.

5

6 MR. MISHLER: Sure.

7

8 MR. CRATTY: What's going on with the seal population?

9

10 MR. MISHLER: It seems to have recovered somewhat in the  
11 Kodiak area. Although Prince William Sound, they're still  
12 observing a steady decline as of last year anyway. There's been  
13 about a six percent decline in the number of estimates. But they  
14 don't count every seal every year. And what they try to do is to  
15 go, as I say, fly over -- what they call a series of trend sites.  
16 And they're usually sites they can cover in an airplane in one or  
17 two days and they fly -- they have one of these trend site fly  
18 overs in Kodiak and they start at Marmot and they go down the  
19 west side of the island to Cape Barnabas.....

20

21 MR. CRATTY: Yeah, I think.....

22

23 MR. MISHLER: .....they go to Two-Headed Island and there  
24 may be a few other places, but they fly primarily down the west  
25 side of the island. They don't fly down the east side of the  
26 island. So all the estimates are based on what they count from  
27 year-to-year on these same sites, same trend sites and then they  
28 try to expand those numbers to account for all the animals.

29

30 MR. CRATTY: How about the sea otters? I heard they're  
31 getting overpopulated on the west side.

32

33 MR. MISHLER: That I don't know. I don't keep track of  
34 sea otters much because people don't eat them and they're not --  
35 they're used for pelts, for sale. That's more of a commercial  
36 harvest than a subsistence harvest. So I don't keep too much --  
37 Margaret Roberts can tell you everything you need to know, I  
38 think, about sea otter research.

39

40 There is going to be Alaska Native Harbor Seal Commission  
41 meeting in Kodiak here, I think on the 26th and 27th of this  
42 month which I'll come back for. And there's that -- that  
43 organization is really taking off in terms of getting research  
44 monies and initiating its own research programs, hiring its own  
45 biologists. They're really taking a wonderful lead as, I think,  
46 in the direction of co-management there. They're just about  
47 ahead of any other group. And lately they've now got an  
48 endorsement from Bristol Bay Native Corporation or Native  
49 Association, BBNA has decided to join in with the Alaska Native  
50 Harbor Seal Commission, so now it extends from Southeast to

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1 Bristol Bay and out the chain and Kodiak. I think the  
2 representatives from Kodiak are Mitch Semienoff from Akhiok is a  
3 member of that commission.

4  
5 CHAIRMAN OLSEN: What time of year are these seal surveys  
6 done?

7  
8 MR. MISHLER: We do them twice a year. We do them in  
9 January and then we do them again in late May. We do seal and  
10 sea lion together.

11  
12 CHAIRMAN OLSEN: It seems to me -- am I correct that the  
13 seal follow the salmon pattern, I mean that's when they run by  
14 us, through the summer. Do you find any connection there? I  
15 mean certainly there's not much fish on the west side, I don't  
16 think the seals are going to hang out on that side.

17  
18 MR. MISHLER: Um-hum.

19  
20 CHAIRMAN OLSEN: You give them a little more credit of  
21 survival than they want to.

22  
23 MR. MISHLER: Sea lions migrate great distances so it's  
24 very hard to pin them down. They put some satellite transponders  
25 on the sea lions and they found out that some -- the one that  
26 they tagged down in Old Harbor went all the way up to St. Paul  
27 Island in the Pribilofs one winter and came right back just in  
28 time for herring. So it's not just salmon, but herring is  
29 another species that sea lions like. And then there's another  
30 one that they tagged in the Kodiak area that went down in the  
31 middle of the North Pacific and spent the whole winter just  
32 foraging in the middle of the North Pacific, it didn't come back  
33 for months. They're finding all kinds of things about them and  
34 the satellite technology has really given us a lot of insights  
35 that we didn't have before. There's a lot being learned every  
36 day about these animals. And they've just started doing this  
37 with fur seals on the Pribilofs and they found out that -- one of  
38 the things they found out is that fur seals in the Pribilofs  
39 congregate in different rookeries around the island. And the  
40 pups from each rookery go to a different feeding area and some of  
41 them go north of St. Paul Island and then they found that the  
42 ones in St. George Island which is only about 15 miles away, that  
43 those all go south and east and they -- the fur seals, when  
44 they're maturing, at least, in their first year all go in  
45 different directions and each rookery has its own feeding area in  
46 the ocean.

47  
48 CHAIRMAN OLSEN: Well, they do have fences.

49  
50 MR. MISHLER: So that's my report.

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1           CHAIRMAN OLSEN: Thank you. Well, I believe that we've  
2 covered most everything today that we're going to absorb or  
3 digest. So at this time I would like to recess this meeting  
4 until tomorrow morning at 9:00 o'clock. Thank you.

5

6

(HEARING RECESSED)

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C E R T I F I C A T E

UNITED STATES OF AMERICA )  
 ) ss.  
STATE OF ALASKA )

I, Joseph P. Kolasinski, Notary Public in and for the  
State of Alaska and Reporter and Owner of Computer Matrix, do  
hereby certify:

THAT the foregoing pages numbered 02 through 118 contain  
a full, true and correct Transcript of the Kodiak/Aleutians  
Federal Subsistence Regional Advisory Council, Volume I, meeting  
taken electronically by Dorothy Wenzel on the 5th day of March,  
1998, beginning at the hour of 9:00 o'clock a.m. at the Kodiak  
Inn, Kodiak, Alaska;

THAT the transcript is a true and correct transcript  
requested to be transcribed and thereafter transcribed by under  
my direction and reduced to print;

THAT I am not an employee, attorney, or party interested  
in any way in this action.

DATED at Anchorage, Alaska, this 15th day of March, 1998.

---

JOSEPH P. KOLASINSKI  
Notary Public in and for Alaska  
My Commission Expires: 04/17/00